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The Iowa Administrative Code Supplement is published biweekly pursuant to Iowa Code section 17A.6. The Supplement contains replacement chapters to be inserted in the loose-leaf Iowa Administrative Code (IAC) according to instructions included with each Supplement. The replacement chapters incorporate rule changes which have been adopted by the agencies and filed with the Administrative Rules Coordinator as provided in Iowa Code sections 7.17 and 17A.4 to 17A.6. To determine the specific changes in the rules, refer to the Iowa Administrative Bulletin bearing the same publication date.

In addition to the changes adopted by agencies, the replacement chapters may reflect objection to a rule or a portion of a rule filed by the Administrative Rules Review Committee (ARRC), the Governor, or the Attorney General pursuant to Iowa Code section 17A.4(6); an effective date delay imposed by the ARRC pursuant to section 17A.4(7) or 17A.8(9); rescission of a rule by the Governor pursuant to section 17A.4(8); or nullification of a rule by the General Assembly pursuant to Article III, section 40, of the Constitution of the State of Iowa.

The Supplement may also contain replacement pages for the IAC Index or the Uniform Rules on Agency Procedure.

INSTRUCTIONS

FOR UPDATING THE

IOWA ADMINISTRATIVE CODE

Agency names and numbers in bold below correspond to the divider tabs in the IAC binders. New and replacement chapters included in this Supplement are listed below. Carefully remove and insert chapters accordingly.

Editor's telephone (515)281-3355 or (515)242-6873

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Replace Analysis

Replace Chapter 30 with Reserved Chapter 30

Human Services Department[441]

Replace Chapters 51 and 52

Law Enforcement Academy[501]

Replace Chapter 2

Replace Chapter 10

Natural Resource Commission[571]

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Secretary of State[721]

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Replace Reserved Chapters 11 to 19 with Reserved Chapter 11

Insert Chapter 12 and Reserved Chapters 13 to 19

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441—51.1(249) Application for other benefits. An applicant or any other person whose needs are included in determining the state supplementary assistance payment must have applied for or be receiving all other benefits, including supplemental security income or the family investment program, for which the person may be eligible. The person must cooperate in the eligibility procedures while making application for the other benefits. Failure to cooperate shall result in ineligibility for state supplementary assistance.

This rule is intended to implement Iowa Code section 249.3.

441—51.2(249) Supplementation. Any supplemental payment made on behalf of the recipient from any source other than a nonfederal governmental entity shall be considered as income, and the payment shall be used to reduce the state supplementary assistance payment.

441—51.3(249) Eligibility for residential care.

51.3(1) Licensed facility. Payment for residential care shall be made only when the facility in which the applicant or recipient is residing is currently licensed by the department of inspections and appeals pursuant to laws governing health care facilities.

51.3(2) Physician's statement. Payment for residential care shall be made only when there is on file an order written by a physician certifying that the applicant or recipient being admitted requires residential care but does not require nursing services. The certification shall be updated whenever a change in the recipient's physical condition warrants reevaluation, but no less than every 12 months.

51.3(3) Income eligibility. The resident shall be income eligible when the income according to 441—paragraph 52.1(3) "a" is less than 31 times the per diem rate of the facility. Partners in a marriage who both enter the same room of the residential care facility in the same month shall be income eligible for the initial month when their combined income according to 441—paragraph 52.1(3) "a" is less than twice the amount of allowed income for one person (31 times the per diem rate of the facility).

51.3(4) Diversion of income. Rescinded IAB 5/1/91, effective 7/1/91.

51.3(5) Resources. Rescinded IAB 5/1/91, effective 7/1/91.

This rule is intended to implement Iowa Code section 249.3.

441—51.4(249) Dependent relatives.

51.4(1) Income. Income of a dependent relative shall be less than \$379 per month. When the dependent's income is from earnings, an exemption of \$65 shall be allowed to cover work expense.

51.4(2) Resources. The resource limitation for a recipient and a dependent child or parent shall be \$2,000. The resource limitation for a recipient and a dependent spouse shall be \$3,000. The resource limitation for a recipient, spouse, and dependent child or parent shall be \$3,000.

51.4(3) Living in the home. A dependent relative shall be eligible until out of the recipient's home for a full calendar month starting at 12:01 a.m. on the first day of the month until 12 midnight on the last day of the same month.

51.4(4) Dependency. A dependent relative may be the recipient's ineligible spouse, parent, child, or adult child who is financially dependent upon the recipient. A relative shall not be considered to be financially dependent upon the recipient when the relative is living with a spouse who is not the recipient.

This rule is intended to implement Iowa Code sections 249.3 and 249.4.

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441—51.5(249) Residence. A recipient of state supplementary assistance shall be living in the state of Iowa.

This rule is intended to implement Iowa Code section 249.3.

441—51.6(249) Eligibility for supplement for Medicare and Medicaid eligibles. The following eligibility requirements are specific to the supplement for Medicare and Medicaid eligibles:

51.6(1) Medicaid eligibility. The recipient must be eligible for and receiving full medical assistance benefits under Iowa Code chapter 249A without regard to eligibility based on receipt of state supplementary assistance under this rule, and without being required to meet a spenddown or pay a premium to be eligible for medical assistance benefits.

51.6(2) SSI eligibility. The recipient shall meet all eligibility requirements for supplemental security income benefits other than limits on substantial gainful activity and income.

51.6(3) Not otherwise eligible. The recipient must not be eligible for benefits under another state supplementary assistance group.

51.6(4) Medicare eligibility. The recipient must be currently eligible for Medicare Part B.

51.6(5) Living arrangement. A recipient may live in one of the following:

- a. The person's own home.
- b. The home of another person.
- c. A group living arrangement.
- d. A medical facility.

51.6(6) Income. Income of a recipient shall be within the income limit for the person's Medicaid eligibility group, but must exceed 120 percent of the federal poverty level.

This rule is intended to implement Iowa Code section 249.3 as amended by 2005 Iowa Acts, House File 825, section 108.

441—51.7(249) Income from providing room and board. In determining profit from furnishing room and board or providing family life home care, \$379 per month shall be deducted to cover the cost, and the remaining amount treated as earned income.

This rule is intended to implement Iowa Code sections 249.3 and 249.4.

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441—51.8(249) Furnishing of social security number. As a condition of eligibility applicants or recipients of state supplementary assistance must furnish their social security account numbers or proof of application for the numbers if they have not been issued or are not known and provide their numbers upon receipt.

Assistance shall not be denied, delayed, or discontinued pending the issuance or verification of the numbers when the applicants or recipients are cooperating in providing information necessary for issuance of their social security numbers.

This rule is intended to implement Iowa Code sections 249.3 and 249.4.

441—51.9(249) Recovery.

51.9(1) Definitions.

“Administrative overpayment” means assistance incorrectly paid to or for the client because of continuing assistance during the appeal process.

“Agency error” means assistance incorrectly paid to or for the client because of action attributed to the department as the result of one or more of the following circumstances:

1. Misfiling or loss of forms or documents.
2. Errors in typing or copying.
3. Computer input errors.
4. Mathematical errors.

5. Failure to determine eligibility correctly or to certify assistance in the correct amount when all essential information was available to the local office.

6. Failure to make prompt revisions in payment following changes in policies requiring the changes as of a specific date.

“*Client*” means a current or former applicant or recipient of state supplementary assistance.

“*Client error*” means assistance incorrectly paid to or for the client because the client or client’s representative failed to disclose information, or gave false or misleading statements, oral or written, regarding the client’s income, resources, or other eligibility and benefit factors. It also means assistance incorrectly paid to or for the client because of failure by the client or client’s representative to timely report as defined in rule 441—76.10(249A).

“*Department*” means the department of human services.

51.9(2) Amount subject to recovery. The department shall recover from a client all state supplementary assistance funds incorrectly expended to or on behalf of the client, or when conditional benefits have been granted.

a. The department also shall seek to recover the state supplementary assistance granted during the period of time that conditional benefits were correctly granted the client under the policies of the supplemental security income program.

b. The incorrect expenditures may result from client or agency error, or administrative overpayment.

51.9(3) Notification. All clients shall be promptly notified when it is determined that assistance was incorrectly expended. Notification shall include for whom assistance was paid; the time period during which assistance was incorrectly paid; the amount of assistance subject to recovery, when known; and the reason for the incorrect expenditure.

51.9(4) Source of recovery. Recovery shall be made from the client or from parents of children under the age of 21 when the parents completed the application and had responsibility for reporting changes. Recovery must come from income, resources, the estate, income tax refunds, and lottery winnings of the client.

51.9(5) Repayment. The repayment of incorrectly expended state supplementary assistance funds shall be made to the department.

51.9(6) Appeals. The client shall have the right to appeal the amount of funds subject to recovery under the provisions of 441—Chapter 7.

This rule is intended to implement Iowa Code sections 249.3 and 249.4.

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CHAPTER 52

PAYMENT

[Prior to 7/1/83, Social Services[770] Ch 52]

[Prior to 2/11/87, Human Services[498]]

441—52.1(249) Assistance standards. Assistance standards are the amounts of money allowed on a monthly basis to recipients of state supplementary assistance in determining financial need and the amount of assistance granted.

52.1(1) *Protective living arrangement.* The following assistance standards have been established for state supplementary assistance for persons living in a family-life home certified under rules in 441—Chapter 111.

| | |
|--------------|--------------------|
| \$797 | Care allowance |
| \$100 | Personal allowance |
| <u>\$897</u> | Total |

52.1(2) *Dependent relative.* The following assistance standards have been established for state supplementary assistance for dependent relatives residing in a recipient's home.

| | |
|--|---------|
| <i>a.</i> Aged or disabled client and a dependent relative | \$1,114 |
| <i>b.</i> Aged or disabled client, eligible spouse, and a dependent relative | \$1,482 |
| <i>c.</i> Blind client and a dependent relative | \$1,136 |
| <i>d.</i> Blind client, aged or disabled spouse, and a dependent relative | \$1,504 |
| <i>e.</i> Blind client, blind spouse, and a dependent relative | \$1,526 |

52.1(3) *Residential care.* Payment to a recipient in a residential care facility shall be made on a flat per diem rate of \$17.86 or on a cost-related reimbursement system with a maximum per diem rate of \$30.11. The department shall establish a cost-related per diem rate for each facility choosing this method of payment according to rule 441—54.3(249).

The facility shall accept the per diem rate established by the department for state supplementary assistance recipients as payment in full from the recipient and make no additional charges to the recipient.

a. All income of a recipient as described in this subrule after the disregards described in this subrule shall be applied to meet the cost of care before payment is made through the state supplementary assistance program.

Income applied to meet the cost of care shall be the income considered available to the resident pursuant to supplemental security income (SSI) policy plus the SSI benefit less the following monthly disregards applied in the order specified:

(1) When income is earned, impairment related work expenses, as defined by SSI plus \$65 plus one-half of any remaining earned income.

(2) An allowance of \$100 to meet personal expenses and Medicaid copayment expenses.

(3) When there is a spouse at home, the amount of the SSI benefit for an individual minus the spouse's countable income according to SSI policies. When the spouse at home has been determined eligible for SSI benefits, no income disregard shall be made.

(4) When there is a dependent child living with the spouse at home who meets the definition of a dependent according to the SSI program, the amount of the SSI allowance for a dependent minus the dependent's countable income and the amount of income from the parent at home that exceeds the SSI benefit for one according to SSI policies.

(5) Established unmet medical needs of the resident, excluding private health insurance premiums and Medicaid copayment expenses. Unmet medical needs of the spouse at home, exclusive of health insurance premiums and Medicaid copayment expenses, shall be an additional deduction when the countable income of the spouse at home is not sufficient to cover those expenses. Unmet medical needs of the dependent living with the spouse at home, exclusive of health insurance premiums and Medicaid copayment expenses, shall also be deducted when the countable income of the dependent and the income of the parent at home that exceeds the SSI benefit for one is not sufficient to cover the expenses.

(6) The income of recipients of state supplementary assistance or Medicaid needed to pay the cost of care in another residential care facility, a family-life home, an in-home health-related care provider, a home- and community-based waiver setting, or a medical institution is not available to apply to the cost of care. The income of a resident who lived at home in the month of entry shall not be applied to the cost of care except to the extent the income exceeds the SSI benefit for one person or for a married couple if the resident also had a spouse living in the home in the month of entry.

b. Payment is made for only the days the recipient is a resident of the facility. Payment shall be made for the date of entry into the facility, but not the date of death or discharge.

c. Payment shall be made in the form of a grant to the recipient on a post payment basis.

d. Payment shall not be made when income is sufficient to pay the cost of care in a month with less than 31 days, but the recipient shall remain eligible for all other benefits of the program.

e. Payment will be made for periods the resident is absent overnight for the purpose of visitation or vacation. The facility will be paid to hold the bed for a period not to exceed 30 days during any calendar year, unless a family member or legal guardian of the resident, the resident's physician, case manager, or department service worker provides signed documentation that additional visitation days are desired by the resident and are for the benefit of the resident. This documentation shall be obtained by the facility for each period of paid absence which exceeds the 30-day annual limit. This information shall be retained in the resident's personal file. If documentation is not available to justify periods of absence in excess of the 30-day annual limit, the facility shall submit a Case Activity Report, Form 470-0042, to the county office of the department to terminate the state supplementary assistance payment.

A family member may contribute to the cost of care for a resident subject to supplementation provisions at rule 441—51.2(249) and any contributions shall be reported to the county office of the department by the facility.

f. Payment will be made for a period not to exceed 20 days in any calendar month when the resident is absent due to hospitalization. A resident may not start state supplementary assistance on reserve bed days.

g. The per diem rate established for recipients of state supplementary assistance shall not exceed the average rate established by the facility for private pay residents.

(1) Residents placed in a facility by another governmental agency are not considered private paying individuals. Payments received by the facility from such an agency shall not be included in determining the average rate for private paying residents.

(2) To compute the facilitywide average rate for private paying residents, the facility shall accumulate total monthly charges for those individuals over a six-month period and divide by the total patient days care provided to this group during the same period of time.

52.1(4) *Blind.* The standard for a blind recipient not receiving another type of state supplementary assistance is \$22 per month.

52.1(5) *In-home, health-related care.* Payment to a person receiving in-home, health-related care shall be made in accordance with rules in 441—Chapter 177.

52.1(6) *Minimum income level cases.* The income level of those persons receiving old age assistance, aid to the blind, and aid to the disabled in December 1973 shall be maintained at the December 1973 level as long as the recipient's circumstances remain unchanged and that income level is above current standards. In determining the continuing eligibility for the minimum income level, the income limits, resource limits, and exclusions which were in effect in October 1972 shall be utilized.

52.1(7) *Supplement for Medicare and Medicaid eligibles.* Payment to a person eligible for the supplement for Medicare and Medicaid eligibles shall be \$1 per month.

This rule is intended to implement Iowa Code chapter 249.

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CHAPTER 2
MINIMUM STANDARDS FOR IOWA LAW ENFORCEMENT OFFICERS

[Appeared as Ch 1 prior to 4/10/85]

[Prior to 3/11/87, Law Enforcement Academy[550] Ch 2]

501—2.1(80B) General requirements for law enforcement officers. In no case shall any person hereafter be selected or appointed as a law enforcement officer unless the person:

2.1(1) Is a citizen of the United States and a resident of Iowa or intends to become a resident upon being employed; provided that the state residency requirement under this subrule shall not apply to employees of a city or county that has adopted an ordinance to allow employees of the city or county to reside in another state and shall not apply to an employee of a city or county that later repeals such an ordinance if the employee resides in another state at the time of the repeal. A city or county that has adopted an ordinance to allow the employees of the city or county to reside in another state shall provide a current copy of the ordinance to the Iowa law enforcement academy. Railway special agents who are approved by the commissioner of public safety as special agents of the department shall be exempt from the Iowa residency requirement.

2.1(2) Is 18 years of age at the time of appointment.

2.1(3) Has a valid driver's or chauffeur's license issued by the state of Iowa. Railway special agents who are approved by the commissioner of public safety as special agents of the department and officers who are allowed to reside in an adjacent state shall be required to possess a valid driver's or chauffeur's license of the state of residence of the officer.

2.1(4) Is not addicted to drugs or alcohol.

2.1(5) Is of good moral character as determined by a thorough background investigation including a fingerprint search conducted of local, state and national fingerprint files and has not been convicted of a felony or a crime involving moral turpitude. Moral turpitude is defined as an act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty or good morals. The following nonexclusive list of acts has been held by the courts to involve moral turpitude: income tax evasion, perjury, or its subornation, theft, indecent exposure, sex crimes, conspiracy to commit a crime, defrauding the government and illegal drug sales. Various factors, however, may cause an offense which is generally not regarded as constituting moral turpitude to be regarded as such. The offenses of assault, domestic abuse, or other offenses of domestic violence, stalking, and any offense in which a weapon was used in the commission are crimes involving moral turpitude.

2.1(6) Has successfully passed a physical test adopted by the Iowa law enforcement academy.

2.1(7) Is not by reason of conscience or belief opposed to the use of force, when necessary to fulfill that person's duties.

2.1(8) Is a high school graduate with a diploma, or possesses a GED equivalency certificate.

2.1(9) Has an uncorrected vision of not less than 20/100 in both eyes, corrected to 20/20. Has color vision consistent with the occupational demands of law enforcement. Passing any of the following color vision tests indicates that the applicant has color vision abilities consistent with the occupational demands of law enforcement:

Pseudoisochromatic plates tests such as but not limited to: Tokyo Medical College, Ishihara, Standard Pseudoisochromatic Plates, Dvorine, American Optical HRR Plates, American Optical.

Panel tests such as:

Farnsworth Dichotomous D-15 Test or any other test designed and documented to identify extreme anomalous trichromatic, dichromatic or monochromatic color vision.

Individuals with extreme anomalous trichromatism or monochromasy color vision, as determined through testing, are not eligible to be hired as law enforcement officers in the state of Iowa.

2.1(10) Meets hearing standards as outlined below.

a. The person shall have normal hearing in each ear. Hearing is considered normal when, tested by an audiometer, hearing sensitivity thresholds are within 25dB measured at 500Hz, 1000Hz, 2000Hz and 3000Hz averaged together.

b. If the person does not have normal hearing as described above and any of the following (as recommended by the American Academy of Otolaryngology) conditions exist, a medical specialist's evaluation (otologic evaluation) is required in order for the candidate to be considered for hire:

- (1) Average hearing level at 500Hz, 1000Hz, 2000Hz, and 3000Hz greater than 25dB, in either ear.
- (2) Difference in average hearing level between the better and poorer ear of:
 1. More than 15dB at 500Hz, 1000Hz, and 2000Hz, or
 2. More than 30dB at 3000Hz, 4000Hz, and 6000Hz.
- (3) History of ear pain; drainage; dizziness; severe persistent tinnitus; sudden, fluctuating, or rapidly progressive hearing loss; or a feeling of fullness or discomfort in one or both ears within the preceding 12 months.
- (4) Cerumen accumulation sufficient to completely obstruct the view of the tympanic membrane or a foreign body in the ear canal.
- (5) Use of a hearing aid.

c. Functional hearing evaluation required. Issues of reversibility and prognosis should be addressed during the otologic evaluation. The evaluation should consist of directional speech comprehension in noise and speech comprehension in quiet using the High Intensity Noise Test (HINT) or other tests that meet the performance characteristics as outlined in paragraph "d." Candidates who perform more poorly than the fifth percentile of the normal hearing group under any of the three background noise conditions (noise in front, right, or left) are not eligible for hire. Candidates with quiet thresholds greater than 28dB(A) on the HINT or other tests that meet the performance characteristics as outlined in paragraph "d" are not eligible for hire.

d. Required performance testing characteristics include the following:

- (1) Testing is available in both headphone and sound field versions.
- (2) The testing has an adequate normal hearing control group.
- (3) The testing is capable of spatial separation between the speech and the noise source.
- (4) The testing uses adaptive testing techniques.
- (5) The testing uses a stationary background noise with the same average level across frequencies as the speech.

e. Use of a hearing aid. A candidate who uses a hearing aid(s) should be administered the HINT or other tests that meet the performance characteristics as outlined in paragraph "d" to assess speech comprehension ability in noise and quiet. Both tests must be administered by sound field methods rather than headphones. An aided audiogram can be reviewed to evaluate sound detection ability.

Before functional testing, the examining physician must ensure that the aid(s) has been worn regularly for at least one month, since it takes some practice before an individual obtains the maximum benefit from the hearing aid(s). Furthermore, the examining physician should obtain all records from the audiologist who dispensed the hearing aid(s). The records must include documentation of the fitting program and other hearing aid settings, which are used on a regular basis by the candidate. This information shall be reviewed by the certified audiologist performing the testing procedure to verify that the settings have not been intentionally altered.

The following protocol must be used. No modifications to the candidate's hearing aid program or settings should be made prior to or during the performance of this protocol.

(1) Evaluate whether the hearing aid(s) is working properly. The electroacoustic response characteristics of each hearing aid worn by the candidate should be measured in an appropriate acoustic coupler and test chamber according to ANSI specifications (ANSI 1992 and 1996). The response of the hearing aid(s) should be measured at the four designated input levels with a broadband test signal, as specified in the specifications. All measurements should be printed and retained in the candidate's records. If the hearing aid(s) is not in proper working condition, no further testing should be performed at that time. The candidate may elect to have the hearing aid(s) repaired or replaced and may return to repeat the protocol. In this event, the entire protocol, including measurements of the electroacoustic

response characteristics of the hearing aid(s), should be repeated with the new or repaired hearing aid(s). Hearing aid sales, repairs, and replacements should be from an independent provider other than the provider of the functional assessment services.

(2) Review the candidate's regular fitting program and settings. The fitting program and settings should be equivalent to those measured according to subparagraph (1). If they are not equivalent, no further testing should be performed at that time.

(3) Determine whether the functional gain is both physiologic and appropriate for the candidate's hearing loss. Unaided and aided binaural sound field thresholds should be measured at 250Hz, 500Hz, 1000Hz, 2000Hz, 3000Hz, 4000Hz, and 6000Hz, using warble tone stimuli presented from a loudspeaker positioned 1 meter in front of the candidate at 0 degrees azimuth. If the functional gain is not physiologic and appropriate, then no further testing should be performed at that time.

(4) Perform aided sound field HINT or other approved testing in noise and quiet. Compare the results to the site-specific normal values for sound field noise front, noise right, and noise left conditions. If the measured thresholds are better than the fifth percentile under all three conditions, then the noise testing shall be repeated with the background noise fixed at 80dB(A). The same normative values used with the standard background noise levels may be used to assign percentile scores to these results.

The examining physician may use the evaluation algorithm described in Hearing Guidelines—Abnormal Audiogram, with one exception. Many present-day hearing aids employ methods of sound processing that vary as a function of the background noise level, and it is necessary to measure aided sound field HINT thresholds through a range of background noise levels. Therefore, candidates who use hearing aid(s) should be functionally normal both under standard HINT background noise levels (i.e., 65dB) and at levels that are commonly encountered in the field (80dB).

The candidate has met the required hiring standards if the candidate has demonstrated acceptable functional ability when wearing a hearing aid(s) and wears a hearing aid(s) when assigned to field duty.

2.1(11) Is examined by a licensed physician or surgeon and meets the physical requirements necessary to fulfill the responsibilities of a law enforcement officer.

[ARC 2960C, IAB 3/1/17, effective 4/5/17]

501—2.2(80B) Mandatory psychological testing and administrative procedures. In no case shall any person be selected or appointed as a law enforcement officer unless that person has performed satisfactorily in preemployment cognitive or personality tests, or both, prescribed by the Iowa law enforcement academy.

2.2(1) Required cognitive test.

a. Entry-level applicants for all law enforcement positions in the state of Iowa shall take the Stanard & Associates' National Police Officer Selection Test (POST).

b. The minimum satisfactory score to be eligible for employment is 70 percent on each of the four sections of this examination. Agencies and civil service commissions may require a higher satisfactory score than 70 percent on each or any of the sections of the test.

2.2(2) Required personality test.

a. The Minnesota Multiphasic Personality Inventory (MMPI) test shall be taken by all applicants in the final selection process for a law enforcement position.

b. The prescribed personality test for an applicant in the final selection process shall be administered, scored and interpreted by the academy or by an individual who has been approved by the academy. The prescribed personality test for an applicant in the final selection process shall be evaluated by the Iowa law enforcement academy. These tests shall be evaluated and test results and evaluations shall be forwarded to a law enforcement agency for selection purposes only by the Iowa law enforcement academy upon proper waiver by the applicant.

2.2(3) Test administration.

a. Test results may be forwarded by the academy to a law enforcement agency for selection purposes only upon proper waiver by the applicant.

b. The Iowa law enforcement academy shall have prescheduled testing dates each fiscal year. Nonscheduled testing dates may also be provided.

2.2(4) Cognitive test.

a. At the discretion of the employing agency, the cognitive test (POST) may be administered by qualified individuals.

b. Arrangements for and administration of the Stanard & Associates' National Police Officer Selection Test (POST) shall be in accordance with directions of the Iowa law enforcement academy.

2.2(5) Personality tests.

a. Those law enforcement agencies which choose to administer, score, or interpret the MMPI without using the academy's testing services shall forward to the academy psychological testing information on any individual hired within 14 days of the date hired. Such information shall include, but not be limited to, all scores from MMPI scales used in the evaluation, the MMPI answer sheet, and any resulting reports.

b. The Minnesota Multiphasic Personality Inventory (MMPI) test may be administered to applicants who are not in the final selection process.

2.2(6) Cost of tests. The academy will establish and post fee schedules for costs of administering and evaluating the psychological and cognitive test or tests mandated by the academy for agencies who choose to utilize academy testing services.

The cost of the POST test shall be paid by the agencies for which testing is conducted to Stanard & Associates in accordance with the fee schedule approved by and posted at the Iowa law enforcement academy.

2.2(7) Availability of tests scores.

a. Forwarding of cognitive test results. Individual cognitive test scores of cognitive tests purchased through the Iowa law enforcement academy shall be provided by the Iowa law enforcement academy to prospective employing agencies upon request and proper waiver by the applicant for a minimal handling fee.

b. Forwarding of Minnesota Multiphasic Personality Inventory (MMPI) test results. The evaluation by the Iowa law enforcement academy of Minnesota Multiphasic Personality Inventory tests will be available to any prospective employing agency upon request and proper waiver by the applicant for a minimal handling fee.

c. Certified law enforcement officers. Law enforcement officers certified through training by the Iowa law enforcement academy are not required to take a cognitive test but may be required to do so at the discretion of the employing agency.

d. Rescinded IAB 9/22/99, effective 10/27/99.

e. Individual POST test scores shall be forwarded by Stanard & Associates to prospective employing agencies upon request and payment of a fee in accordance with the fee schedule approved by and posted at the Iowa law enforcement academy.

f. Individual POST test scores must be postmarked and forwarded to Stanard & Associates within one business day of the date of the examination.

g. Only scores forwarded to Stanard & Associates will be recognized as valid and become part of the Iowa database.

2.2(8) Tests are valid for specific period.

a. The Iowa law enforcement academy evaluations of the Minnesota Multiphasic Personality Inventory may only be used for 12 months to comply with these testing rules. Any applicant who has not been hired or placed upon a civil service certified list within 12 months of taking the Minnesota Multiphasic Personality Inventory test must retake the examination and, before the applicant is hired, the results of the examination must be considered by the hiring authority.

b. Rescinded IAB 9/22/99, effective 10/27/99.

c. At its discretion the employing agency may elect to require an applicant to retake any Iowa law enforcement academy required psychological test as well as any other tests that it may deem necessary in its selection process.

d. POST test scores shall be valid for a period of one year from the date of the examination. An applicant who has not been hired or placed upon a civil service certified list within one year of taking this test must retake and successfully pass the examination before being hired. A person may retest on the same version of the POST examination once within a 12-month period, with a minimum required delay of 90 days before the retest. No delay in retesting is required when a person is given an alternate version of the POST examination.

e. The employing law enforcement agency or appropriate civil service commission retains the exclusive right to decide whether an individual shall be allowed to retest or take an alternate version of the POST examination as provided by these rules.

2.2(9) Construction. Nothing in these rules should be construed to preclude a Civil Service Commission or employing agency from requiring an applicant for a law enforcement position to take tests other than those mandated by these rules so long as the applicant in the final selection process has complied with these rules. These rules shall not be construed as altering or changing the current authority of a Civil Service Commission.

501—2.3(80B) Officers moving from agency to agency.

2.3(1) A certified Iowa peace officer who has previously met all the requirements of rule 501—2.1(80B) and who intends to move employment from one Iowa law enforcement agency to another Iowa law enforcement agency, or who intends to be employed as a certified peace officer by more than one Iowa law enforcement agency simultaneously, shall:

a. Undergo a psychological examination as provided in rule 501—2.2(80B) of this chapter, and

b. Be of good moral character as determined by a thorough background investigation by the hiring agency, including, but not limited to, a fingerprint search conducted by the Iowa division of criminal investigation and Federal Bureau of Investigation. If the results of the fingerprint file checks cannot reasonably be obtained prior to the time of appointment, the hiring shall be considered conditional until such time as the results are received and reviewed by the appointing agency.

2.3(2) Except as otherwise specified, the provisions of rule 501—2.1(80B) of this chapter do not need to be reverified upon the movement of employment from one Iowa law enforcement agency to another Iowa law enforcement agency or upon being employed by more than one Iowa law enforcement agency simultaneously if the certified Iowa peace officer met all of the requirements of rule 501—2.1(80B) when the officer was initially hired as an Iowa peace officer and if, without a break of not more than 180 days from law enforcement service, the officer is hired by another Iowa law enforcement agency.

2.3(3) A certified Iowa peace officer who has previously met all the requirements of rule 501—2.1(80B) and who intends to work at the Iowa law enforcement academy shall meet the requirements as outlined in this chapter effective October 20, 2004. Certified Iowa peace officers who are working at the Iowa law enforcement academy before October 20, 2004, may be considered regular peace officers in an active sworn status, and the requirements outlined in 2.3(1) and 2.3(2) shall be waived.

501—2.4(80B) Officers in agencies under intergovernmental agreements. The provisions of rule 501—2.1(80B) do not need to be reverified by officers when jurisdictions enter into an intergovernmental agreement under the provisions of Iowa Code chapter 28E for the sharing of law enforcement services by those jurisdictions and officers if the execution, filing and recording of the agreement conform to the requirements of Iowa law and a certified copy is provided to the director of the academy; however, this does not apply to the establishment of a unified law enforcement district as defined in Iowa Code section 28E.21, wherein a new legal entity or political subdivision is established.

501—2.5(80B) Higher standards not prohibited. While no person can be selected, hired or appointed as an Iowa law enforcement officer who does not meet minimum requirements, agencies are not limited or restricted in establishing additional standards.

These rules are intended to implement Iowa Code sections 80B.11 and 80B.11B.

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[◇] Two or more ARCs

CHAPTER 10 RESERVE PEACE OFFICERS

DIVISION I RESERVE PEACE OFFICER WEAPONS CERTIFICATION

501—10.1(80D) Weapons certification.

10.1(1) Reserve officers must receive council certification in the use of weapons the hiring authority expects and authorizes them to carry. Weapons training is not required with any weapons the reserve officers are not authorized to carry.

10.1(2) Individuals who have been certified through training by the Iowa law enforcement academy as regular officers may be certified to carry weapons as reserve officers without repeating the required reserve officer's weapons training under the following conditions:

a. The academy certification through training was acquired through a school in which firearms training was required; and

(1) The individual is serving as a regular officer for another department at the time of appointment as a reserve officer, or

(2) The individual has served as a regular officer within the two years immediately preceding appointment as a reserve officer.

b. Verification must also be provided to the council that the officer has fired a qualifying score of 80 percent or higher on a firearm course using targets approved by the academy within the past 12 months. This verification must be provided by an academy-trained and -certified firearms instructor.

10.1(3) Application for weapons certification.

a. Application for weapons certification must be made in writing to the council on forms provided by the academy.

b. Verification must be received by the council that a fingerprint check has been made with the Federal Bureau of Investigation and the division of criminal investigation of the Iowa department of public safety and that the applicant has no record of a felony conviction or conviction of a crime involving moral turpitude. Fingerprint check responses from these agencies must be dated not more than one year prior to the date of the receipt by the academy of the application to the council for certification.

c. Council certification will be granted only where weapons proficiency is documented.

d. Interim certification to carry weapons may be granted by the chairperson of the council if all requirements for certification have been met by the reserve officer and certified by the appointing authority. All interim certifications to carry weapons shall then be brought before the council at the next regularly scheduled meeting in order that the council can approve or reject the reserve officer's certification to carry weapons.

[ARC 0962C, IAB 8/21/13, effective 9/25/13]

501—10.2(80D) Instructors for required weapons training. Firearms, striking instruments and chemical weapons training must be provided by an Iowa law enforcement academy-certified instructor before a reserve officer can be certified to carry weapons.

501—10.3(80D) Reserve officers and regular officers weapons training requirements identical. Reserve officer weapons training requirements are the same as those required of regular law enforcement officers during their basic training.

501—10.4(80D) Standards for certification. An applicant for certification to carry weapons as a reserve peace officer must be of good moral character and not have been convicted of a felony or a crime involving moral turpitude. (See 501—subrule 2.1(5).) The offenses of domestic abuse and stalking or other offenses of domestic violence, and any offense in which a weapon was used in the commission, are crimes involving moral turpitude.

501—10.5(80D) Annual qualification. All reserve peace officers who are certified to carry firearms must qualify with all duty firearms annually on a course of fire using targets approved by the Iowa law enforcement academy under the supervision of an academy-certified firearms instructor and must successfully fire a minimum score as established by the academy.

[ARC 0962C, IAB 8/21/13, effective 9/25/13]

501—10.6(80D) Agency responsibilities for record keeping.

10.6(1) It is the responsibility of the law enforcement agency administrator to ensure that training records are regularly kept and maintained. The law enforcement administrator shall make these records available for inspection upon request by the Iowa law enforcement academy or its designee.

10.6(2) Training records shall include the following data:

- a. The date of the training.
- b. The subject matter of the training.
- c. The instructor of the training.
- d. The individual who took the training.
- e. The length of time of the training.
- f. The location where the training took place.
- g. Qualifying range scores and the scores, if any, achieved by the officer to show proficiency in or understanding of the subject matter.

501—10.7(80D) Officers transferring from one agency to another. A reserve peace officer who has been certified by the Iowa law enforcement academy council to carry weapons and who transfers from one Iowa law enforcement agency to another as a reserve officer without more than a 180-day break in service (affiliation) will not be required to undergo weapons certification training anew, provided that a completed application to carry weapons as a reserve officer for the new agency in compliance with Iowa Code section 80D.7 is filed with the academy within 180 days of the date of transfer. If firearms certification is requested, the application must show that the officer has fired qualifying rounds under the supervision of an ILEA-certified firearms instructor within 30 days of the date of application. The application shall further state that all training records for the officer have been transcribed to the new agency.

501—10.8(80D) Reserve peace officers serving more than one agency. A reserve peace officer who serves more than one Iowa law enforcement agency at the same time must be certified by the Iowa law enforcement academy council to carry weapons for each agency that the reserve officer serves in compliance with Iowa Code section 80D.7. It is not necessary for the officer to complete weapons training for each such agency, but all agencies shall maintain duplicate training records for the officer.

501—10.9(80D) Timeliness of training. Training in support of an application to the Iowa law enforcement academy council to carry weapons as a reserve peace officer shall have been accomplished not more than one year prior to the date of the receipt by the academy of the application to the council for certification. Failure to file the application within one year of the date of training shall require the officer to undergo weapons training anew.

501—10.10(80D) CPR certification required. Reserve peace officers shall maintain at a minimum valid first-aid certifications issued by the American Heart Association, the American Red Cross, or any other group recognized by the Iowa law enforcement academy and must have current course completion in cardiopulmonary resuscitation, AED and Foreign Body Airway Obstruction for all age groups according to national standards, with documentation furnished to the academy.

501—10.11 to 10.99 Reserved.

These rules are intended to implement Iowa Code sections 80D.3 and 80D.7.

DIVISION II
RESERVE PEACE OFFICER PERSONAL STANDARDS

501—10.100(80D) General requirements for reserve peace officers. In no case shall any person hereafter be selected or appointed as a reserve peace officer unless the person:

10.100(1) Is a citizen of the United States and a resident of Iowa or intends to become a resident of Iowa upon appointment as a reserve peace officer; provided that the state residency requirement under this subrule shall not apply to employees of a city or county that has adopted an ordinance to allow the employees of the city or county to reside in another state and shall not apply to an employee of a city or county that later repeals such an ordinance if the employee resides in another state at the time of the repeal. A city or county that has adopted an ordinance to allow the employees of the city or county to reside in another state shall provide a current copy of the ordinance to the Iowa law enforcement academy.

10.100(2) Is 18 years of age at the time of selection or appointment.

10.100(3) Has a valid driver's or chauffeur's license issued by the state of Iowa. Reserve peace officers who are allowed to reside in an adjacent state shall be required to possess a valid driver's or chauffeur's license of the state of residence of the officer.

10.100(4) Is not addicted to drugs or alcohol.

10.100(5) Is of good moral character as determined by a thorough background investigation including a fingerprint search conducted on local, state and national fingerprint files, and has not been convicted of a felony or a crime involving moral turpitude. "Moral turpitude" is defined as an act of baseness, vileness, or depravity in the private and social duties which a person owes to another person, or to society in general, contrary to the accepted and customary rule of right and duty between person and person. Moral turpitude is conduct that is contrary to justice, honesty or good morals. The following nonexclusive list of acts has been held by the courts to involve moral turpitude: income tax evasion, perjury, insubordination, theft, indecent exposure, sex crimes, conspiracy to commit a crime, defrauding the government, and illegal drug offenses. The offenses of assault, domestic abuse, or other offenses of domestic violence, stalking, and any offense in which a weapon was used in the commission are crimes involving moral turpitude. Various factors, however, may cause an offense which is generally not regarded as constituting moral turpitude to be regarded as such.

10.100(6) Is not by reason of conscience or belief opposed to the use of force when necessary to fulfill the person's duties.

10.100(7) Is a high school graduate with a diploma, or possesses a GED equivalency certificate.

10.100(8) Has vision corrected to 20/20. Vision tests conducted within 12 months before appointment or selection may be used. A person who performs policing duties alone and without the direct supervision of a certified regular law enforcement officer who is physically present with the reserve peace officer at all times must have uncorrected vision of not less than 20/100 in both eyes, corrected to 20/20. Policing duties include but are not limited to responding to calls, making traffic stops, and patrolling the jurisdiction.

The applicant shall have color vision consistent with the occupational demands of law enforcement. An applicant's passing any of the following color vision tests indicates that the applicant has color vision abilities consistent with the occupational demands of law enforcement:

a. Pseudoisochromatic plates tests such as but not limited to: Tokyo Medical College, Ishihara, Standard Pseudoisochromatic Plates, Dvorine, American Optical HHR Plates, American Optical.

b. Panels tests such as Farnsworth Dichotomous D-15 Test or any other test designed and documented to identify extreme anomalous trichromatic, dichromatic or monochromatic color vision.

An individual with extreme anomalous trichromatism or monochromasy color vision, as determined through testing, is not eligible to serve as a reserve peace officer in the state of Iowa.

10.100(9) Has hearing corrected to normal hearing standards. Hearing is considered normal when, tested by an audiometer, hearing sensitivity thresholds are within 25dB measured at 1000Hz, 2000Hz and 3000Hz averaged together. Hearing tests conducted within 12 months before appointment or selection may be used. A person who performs policing duties alone and without the direct supervision of a

certified regular law enforcement officer who is physically present with the reserve peace officer at all times must have normal hearing in each ear. Policing duties include but are not limited to responding to calls, making traffic stops, and patrolling the jurisdiction.

10.100(10) Is examined by a licensed physician or surgeon and meets the physical requirements as defined by the law enforcement agency necessary to fulfill the responsibilities of the reserve peace officer position being filled.

[ARC 2960C, IAB 3/1/17, effective 4/5/17]

501—10.101(80D) Reserve peace officers moving from agency to agency.

10.101(1) A reserve peace officer who has previously met all the requirements of rule 501—10.100(80D) and who intends to move reserve peace officer status from one Iowa law enforcement agency to another Iowa law enforcement agency, or who intends to be a reserve peace officer for more than one Iowa law enforcement agency simultaneously, shall be of good moral character as determined by a thorough background investigation by the law enforcement agency, including, but not limited to, a fingerprint search conducted by the Iowa division of criminal investigation and the Federal Bureau of Investigation. If the results of the fingerprint file checks cannot reasonably be obtained prior to the time of appointment, the appointment shall be considered conditional until such time as the results are received and reviewed by the appointing agency.

10.101(2) Except as otherwise specified, the provisions of rule 501—10.100(80D) do not need to be reverified upon the movement of reserve peace officer status from one Iowa law enforcement agency to another Iowa law enforcement agency or upon the reserve peace officer's being appointed as a reserve peace officer by more than one Iowa law enforcement agency simultaneously, if the reserve peace officer met all of the requirements of rule 501—10.100(80D) when the person was initially appointed as a reserve peace officer and if, without a break of not more than 180 days from law enforcement service, the person is appointed as a reserve peace officer by another Iowa law enforcement agency.

501—10.102(80D) Active law enforcement officer moving to reserve peace officer status.

10.102(1) An active law enforcement officer who has previously met all the requirements of rule 501—2.1(80B) and who intends to move to reserve peace officer status, or who intends to be a reserve peace officer for more than one Iowa law enforcement agency simultaneously, or who intends to be a reserve peace officer for an Iowa law enforcement agency while also working as an active law enforcement officer shall be of good moral character as determined by a thorough background investigation by the law enforcement agency, including, but not limited to, a fingerprint search conducted by the Iowa division of criminal investigation and the Federal Bureau of Investigation. If the results of the fingerprint file checks cannot reasonably be obtained prior to the time of appointment, the appointment shall be considered conditional until such time as the results are received and reviewed by the appointing agency.

10.102(2) Except as otherwise specified, the provisions of rule 501—10.100(80D) do not need to be verified upon the movement of active law enforcement officer status to reserve peace officer status or upon the officer's being appointed as a reserve peace officer by more than one Iowa law enforcement agency simultaneously, or upon the officer's being appointed as a reserve peace officer by one Iowa law enforcement agency while serving in active law enforcement status for another agency if the peace officer met all of the requirements of rule 501—2.1(80B) when the person was initially appointed as a peace officer and if, without a break of not more than 180 days from law enforcement service, the person is appointed as a reserve peace officer by another Iowa law enforcement agency.

501—10.103(80D) Reserve peace officers in agencies under intergovernmental agreements. When jurisdictions enter into an intergovernmental agreement under the provisions of Iowa Code chapter 28E for the sharing of law enforcement services by those jurisdictions and sharing of reserve peace officers, the compliance of reserve peace officers with rule 501—10.100(80D) does not need to be reverified if the execution, filing and recording of the intergovernmental agreement conform to the requirements of Iowa law and a certified copy of the agreement is provided to the director of the academy. However, this

exception from reverification does not apply to the establishment of a unified law enforcement district as defined in Iowa Code section 28E.21, wherein a new legal entity or political subdivision is established.

501—10.104(80D) Higher standards not prohibited. A person who does not meet minimum standards shall not be selected or appointed as an Iowa reserve peace officer. Agencies are not limited or restricted in establishing additional standards.

501—10.105(80D) Reserve peace officers appointed before enactment of these rules. These rules apply only to reserve peace officers appointed on or after June 2, 2004.

501—10.106 to 10.199 Reserved.

DIVISION III
RESERVE PEACE OFFICER
STANDARDIZED TRAINING AND CERTIFICATION

501—10.200(80D) Certification through training required for all reserve peace officers.

10.200(1) Each person appointed to serve as a reserve peace officer after July 1, 2007, shall satisfactorily complete a minimum training course established by the academy consisting of 80 hours of training and 40 hours of supervised time. Training for individuals appointed as reserve peace officers shall be provided by instructors in a community college or other facility, including a law enforcement agency, selected by the individual and approved by the law enforcement agency and the academy. Reserve peace officers must be certified within 18 months from the date of their appointment.

10.200(2) The academy council may, at the council's discretion, extend the 18-month time period in which a reserve peace officer must become certified for up to 180 days after a showing of "undue hardship" by the reserve peace officer or the reserve peace officer's appointing agency. To be considered for an extension of the 18-month certification period, the person or agency requesting the extension must initiate the request in writing not less than 10 days prior to the council meeting at which the extension request is to be discussed and must also make a presentation to the council at the next regularly scheduled meeting of the council. An extension shall not be liberally granted and shall only be granted after a showing that all other alternatives to an extension have been considered and rejected.

10.200(3) The time period within which a person must achieve certification as a reserve peace officer in the state of Iowa shall commence on the day a person is first appointed as a reserve peace officer in the state of Iowa. Any subsequent changes in a reserve peace officer's appointment status, including transfers to a different appointing agency, shall not toll or otherwise extend the certification period. Those reserve peace officers appointed after July 1, 2007, but before October 3, 2007, shall have 18 months after October 3, 2007, to complete the training and supervision requirements.

10.200(4) Should a person appointed as a reserve peace officer fail to achieve certification within the time period or under any extension allowed by this rule, that person shall not be eligible for appointment as a reserve peace officer and shall not serve as a reserve peace officer in the state of Iowa for a period of not less than one year from the date the time period in which to achieve certification expired, or from the date that the person was last appointed as a reserve peace officer in the state of Iowa, whichever comes first.

501—10.201(80D) Training modules. Six modules consisting of 12 to 16 hours of required training topics per module will be developed by the academy. The training modules will include curriculum and training materials for each topic consisting of learning objectives, a lesson plan, training aids such as presentation tools, handouts, and sample tests. Curriculum and training materials will be provided by the academy to those agencies with academy-approved instructors. Training modules will be updated no less than every three years.

501—10.202(80D) Completion of training modules. The agency providing the training shall notify the academy when a training module is completed. The reserve peace officer completing the training module

will be given an academy-developed test covering the completed module. The reserve peace officer completing the training module must pass the test with a score of 70 percent or better. The reserve peace officer may take the test a second time if the first test score is below 70 percent and the appointing law enforcement agency approves the second test. The reserve peace officer must then retake the training in the area failed if the second test score is below 70 percent before taking the test a third time if the appointing law enforcement agency approves the third test. Failure of the test the third time will result in the individual's not being eligible for certification for a period of one year following the date of the third test failure.

501—10.203(80D) Supervised time. Supervised time is defined as direct supervision by a regular certified law enforcement officer of the reserve peace officer while performing activities consistent with the reserve peace officer's duties, such as ride-along time, jail time, or other assigned duties.

501—10.204(80D) Certification. Upon satisfactory completion of training and supervised time required by the academy, the individual shall be certified by the academy as an Iowa reserve peace officer and shall be issued a certificate by the academy.

501—10.205(80D) Time frame—tolled. The time frame requirements for completion of any mandatory training are tolled during the period a reserve peace officer is called to active military service.

501—10.206(80D) Minimum in-service training requirements. All certified reserve peace officers shall meet the following mandatory minimum in-service training requirements.

10.206(1) Firearms training. A certified reserve peace officer who is authorized to carry firearms must qualify with all duty firearms annually on a course of fire using targets approved by the Iowa law enforcement academy and must successfully fire a minimum score as established by the Iowa law enforcement academy. This subrule applies only to those reserve peace officers who are authorized to carry firearms by the officers' appointing agency.

10.206(2) General training. In addition to the firearms training and CPR training requirements, a certified reserve peace officer must receive a minimum of 12 hours per year, or 36 hours every three years, of law enforcement-related in-service training. Whether training is law enforcement-related shall be determined by the employing agency administrator.

10.206(3) Agency responsibility. It is the responsibility of the law enforcement agency administrator to ensure that in-service training records are regularly kept and maintained. The law enforcement administrator shall also ensure that these records are made available for inspection upon request by the Iowa law enforcement academy or its designee.

a. In-service training records shall include the following:

- (1) The subject matter of the training;
- (2) The name of the instructor of the training;
- (3) The name of the individual who took the training;
- (4) The number of credit hours received from the training;
- (5) The location where the training took place; and
- (6) The scores, if any, achieved by the reserve peace officer to show proficiency in or understanding of the subject matter.

b. It shall be the responsibility of law enforcement agency administrators to ensure that all certified reserve peace officers under their direction receive the minimum hours of in-service training required by these rules.

10.206(4) Mental health training. In addition to the requirements of subrules 10.206(1) and 10.206(2), a certified reserve peace officer must receive mental health in-service training from a course of study approved by the Iowa law enforcement academy.

a. **Initial in-service training.** Effective September 25, 2013, each certified reserve peace officer shall complete within one year a minimum of 4 hours of mental health training from a course of study approved by the Iowa law enforcement academy council. Successful completion of Mental Health First

Aid or Crisis Intervention (Memphis Model or similar model) training after January 1, 2011, shall satisfy the initial requirement.

b. Annual in-service training. Effective September 25, 2013, each certified reserve peace officer shall complete a minimum of 1 hour per year, or 4 hours every four years, of mental health training from a course of study approved by the Iowa law enforcement academy council. This annual in-service training is separate from and in addition to any other in-service training requirements set forth in this chapter, including the initial in-service mental health training required in paragraph 10.206(4) “a.”
[ARC 0962C, IAB 8/21/13, effective 9/25/13]

501—10.207(80D) Training and in-service training requirements for regular law enforcement officers who become certified reserve peace officers.

10.207(1) An active certified regular law enforcement officer who also serves as a reserve peace officer or a certified regular law enforcement officer who retires or leaves active regular law enforcement and returns within 180 days to an Iowa law enforcement agency as a reserve peace officer needs no further training.

10.207(2) Any individual who leaves an Iowa law enforcement officer position and becomes a certified reserve peace officer shall receive in-service training within one year of the individual’s appointment date as follows:

| <u>Period Outside of Iowa Law Enforcement</u> | <u>In-Service Training Required</u> |
|---|---|
| 6 months to 12 months | 12 hours |
| More than 12 months to 24 months | 24 hours |
| More than 24 months to 36 months | 36 hours |
| More than 36 months | 60 hours |

The subject matter of this training will be determined and approved by the law enforcement agency.

501—10.208(80D) Reserve peace officers appointed prior to July 1, 2007—obtaining state certification.

10.208(1) A reserve peace officer enrolled in an approved minimum course of training prior to July 1, 2007, shall obtain state certification by July 1, 2012. The state certification may be obtained through certification by examination. Reserve peace officers who have received training prior to July 1, 2007, may, upon application to and approval from the director, take a competency test or tests to gain Iowa reserve peace officer certification. Successful completion of the required test or tests will result in certification by the council. The test or tests and study material shall be prepared and administered by the academy. The individual must pass the test or tests with a score of 70 percent or better. Individuals will be allowed to take the test or tests a second time in the areas with scores below 70 percent within 60 days and with the approval of the appointing law enforcement agency. The individual must pass the test or tests upon retake with a score of 70 percent or better. Failure to score 70 percent or better the second time will require the individual, with approval of the appointing law enforcement agency, to take the 80-hour module training established by the academy.

10.208(2) Criteria to be eligible to certify through examination. The following is required for certification through examination: successful completion of a minimum 150-hour certifying reserve peace officer training program.

10.208(3) Current reserve peace officers choosing not to be state certified by examination or by module training established by the academy will continue to hold agency certification only and will not be recognized as reserve peace officers after July 1, 2012.

10.208(4) If a reserve peace officer appointed prior to July 1, 2007, with agency certification only transfers to another agency, the reserve peace officer will be considered a new reserve peace officer and will be subject to the 18-month training requirements for state certification.

501—10.209(80D) Instructors for approved reserve peace officer training program.

10.209(1) All reserve peace officer instructors will be designated as general, specialist, or legal instructors. General law enforcement instructors will be those instructing in subjects that are clearly law enforcement in nature and as designated by the academy. Specialist law enforcement instructors are those persons who have attended specialized schools and possess considerable experience in the subject to be taught as designated by the academy. Legal instructors are those persons with a juris doctor degree instructing in the area of criminal law.

10.209(2) Request for instructional certification. All instructors requesting certification must submit this request to the academy council on an application form that can be obtained from the Iowa law enforcement academy.

10.209(3) Granting or revocation of instructor certification.

a. Instructor certification will be issued for a period of three years. Instructor certification may be renewed for a three-year period if the instructor has instructed in a reserve peace officer training program during the three-year time period; the reserve peace officer training coordinator or administrator for the agency recommends renewal of the instructor certification; the individual remains in good standing; and required certification in the specialty areas is in force and valid at the time of application.

b. Instructor certification may be revoked in writing when, in the opinion of the academy or in the opinion of the administrator of the appointing law enforcement agency or other agency requesting certification, that certification should be revoked. In the event of denial of recertification or revocation of certification, the certificate holder may file a written notice of appeal to the academy council within 30 days of notification of the action. The appeal notice should be addressed to Director, Iowa Law Enforcement Academy, Camp Dodge, P.O. Box 130, Johnston, Iowa 50131. A hearing on the matter will be held by the academy council as soon as possible after receipt of the notice of appeal.

501—10.210(80D) Minimum qualifications for certification of general instructor. The minimum qualifications for certification of a general instructor include the following: a regular, nonprobationary Iowa certified sworn peace officer (active, inactive, or retired in good standing) with documented experience in the subject area to be instructed and endorsement by the chief, sheriff, or agency administrator of a law enforcement agency or other agency approved by the council as to the person's qualifications to instruct. Good standing is determined by the endorser and by the academy. A person who has been dismissed for good cause from previous employment, who left during an internal affairs investigation that would have resulted in dismissal for good cause, or who is currently involved in the decertification process shall not be considered in good standing.

501—10.211(80D) Minimum qualifications for certification of specialist instructor. The minimum qualifications for certification of a specialist instructor include the following.

10.211(1) The individual must have successfully completed a specialty course in the area to be instructed when required. The individual must have successfully met all requirements of the issuing agency granting the certification as an instructor in the specialty area requiring instructor certification. The specialty areas requiring certification include force management (ILEA), defensive tactics (ILEA), precision driving (ILEA), Hazmat awareness, blood-borne pathogens, and mandatory reporting. Certification from the issuing agency must be in force and valid at the time of application in order for the individual to be considered as a specialist instructor.

10.211(2) An instructor of the role of emergency communications must have completed the 40-hour basic telecommunication training approved by the academy or have been employed as a telecommunication specialist since July 1998.

10.211(3) An instructor of juvenile law must be a juvenile probation officer or department of human services social worker or be listed under "legal instructor."

10.211(4) An instructor of weather preparedness must have experience with the National Weather Service or be listed as a general instructor as defined above.

10.211(5) An instructor of current drug trends/investigations will be qualified by training and experience in drug investigations such as serving on a drug task force, attending DNE/DEA 40-hour training, or attending DRE training.

501—10.212(80D) Minimum qualifications for certification of legal instructor. The minimum qualifications for certification of a legal instructor include the following: The individual must have a juris doctor degree and be licensed to practice law in Iowa.

These rules are intended to implement Iowa Code sections 80D.1A, 80D.3, 80D.4 and 2007 Iowa Acts, Senate File 110.

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NATURAL RESOURCE COMMISSION[571]

[Prior to 12/31/86, see Conservation Commission [290], renamed Natural Resource Commission[571] under the “umbrella” of Department of Natural Resources by 1986 Iowa Acts, chapter 1245]

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ASSISTANCE PROGRAMSCHAPTER 21
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[Prior to 12/31/86, Conservation Commission[290] Ch 74]

571—21.1(456A) Purpose. The purpose of the agricultural lease program is to enhance habitat for wildlife in the state of Iowa, thereby providing recreational opportunities to the public. Utilization of agricultural leases provides practices which are essential to successful wildlife habitat management and vegetation management and reduces associated operating expenses.

571—21.2(456A) Definitions.

“Agricultural land” means land suitable for use in farming.

“Authority” means the Iowa finance authority created in Iowa Code section 16.1A.

“Beginning farmer” means an individual, partnership, family farm corporation, or family farm limited liability company, with a low or moderate net worth that engages in farming or wishes to engage in farming.

“Cash rent” means an agreed-upon sum of money to be paid to the department.

“Crop share” means a sum of money to be paid to the department based upon the value of an agreed-upon portion of the harvested crop at the local market price on the date the crop is harvested.

“Crop year” means a one-year period terminating each February 28.

“Department” means the department of natural resources.

“Director” means the director of the department of natural resources or a designee.

“Farming” means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, the production of milk, the production of fruit or other horticultural crops, grazing, the production of livestock, aquaculture, hydroponics, the production of forest products, or other activities designated by rule by the authority.

“Land manager” means the department employee or authorized agent responsible for managing a particular area under department jurisdiction.

“Lease” means the written form used to enter into an agreement whereby an operator is authorized to engage in farming operations on land under the jurisdiction of the department according to stated terms and conditions.

“Operator” means any party who enters into a lease with the department as provided in these rules.

“Program” means the lease to beginning farmers program as provided in Iowa Code section 456A.38.

“Sovereign land” means state-owned land within the ordinary high-water mark of meandered rivers and lakes where ownership was transferred directly from the United States to the state of Iowa upon its admission to the union.

[ARC 2961C, IAB 3/1/17, effective 4/5/17]

571—21.3(456A) Agricultural lease policy. The policy of the department is to lease agricultural land under its jurisdiction so as to protect and enhance natural resources and to provide public use opportunities. Generally accepted farming practices will be followed so long as they are commensurate with good resource management practices. All leases shall be in writing.

21.3(1) Agricultural land use. Leased agricultural land is subject to any practice necessary to enable the department to carry out its resource management and subject to recreational use by the public according to the laws of the state of Iowa. Operators shall not inhibit any lawful use of the land by the public including, but not limited to, use by the public for hunting and fishing as described by the rules of the department and the laws of the state of Iowa, except as otherwise may be agreed to between the department and the operator.

21.3(2) Soil conservation. Farming practices shall not exceed soil loss limits as established by the USDA Soil Conservation Service or the local soil and water conservation district.

21.3(3) *Lease basis.* Leases shall be in writing on a cash rent basis, except a crop share basis may be utilized when determined to be in the state's best interest.

21.3(4) *United States Department of Agriculture programs.* The inclusion, by the operator, of land under lease in any U.S. Department of Agriculture program will be allowed only if it is compatible with the department's management plan established for said land.

571—21.4(456A) *Lease to beginning farmers program.* The department shall annually lease agricultural land that it holds or manages as wildlife habitat in each county to beginning farmers seeking to participate in the program. The department is not required to lease agricultural land under the program that it would not otherwise lease for farming.

21.4(1) *Establishing annual lease payments.* The department shall establish annual lease payments for available agricultural land under the program by using the following criteria:

- a. Market factors.
- b. Prior leases for the same or comparable agricultural land.
- c. The cost of the establishment or maintenance of water quality practices, soil conservation practices, wildlife habitat, vegetation management, or food plots, if applicable.

21.4(2) *Eligibility to participate.* A beginning farmer is eligible to participate in the program following certification as a beginning farmer by the authority based on the following criteria:

- a. The beginning farmer is a resident of the state of Iowa.
- b. The beginning farmer has sufficient education, training, or experience in the type of farming required under the lease agreement.
- c. The agricultural land and agricultural improvements shall only be used for farming by the beginning farmer, the beginning farmer's spouse, or the beginning farmer's minor children.
- d. Other criteria as the authority prescribes by rule.

21.4(3) *Selection of beginning farmer.* The department shall execute a lease with a beginning farmer selected to participate in the program after such person has been certified by the authority. If two or more beginning farmers seek to execute a lease under the program for the same agricultural land, the department shall select the beginning farmer by drawing lots. At the end of the lease term, a beginning farmer who leased agricultural land under the program is eligible to be selected again to lease the same agricultural land. However, the department shall provide preference to an available beginning farmer who has not previously participated in the program.

21.4(4) *Terms of the lease.* The department shall establish terms and conditions in the lease for beginning farmers participating in the program. The lease executed by the department under the program shall at least include all of the following:

- a. The number of acres leased. The department shall not lease more than 240 acres of agricultural land to a beginning farmer for the production of crops. However, this restriction does not apply to agricultural land leased for grazing livestock or land leased by a beginning farmer under rule 571—21.5(456A).
- b. The term of the lease. The term may be based on the use of the agricultural land. A lease shall not be for more than seven years. A beginning farmer shall not sublease the agricultural land.
- c. The required and permitted uses of the agricultural land during the term of the lease. The department may require the establishment of a conservation system, crop rotation, or cover crop, if appropriate. The department may require that a beginning farmer adopt generally accepted farming or soil conservation practices, so long as such practices are compatible with the department's policies related to resource management and outdoor recreation.

[ARC 8197B, IAB 10/7/09, effective 11/11/09; ARC 2961C, IAB 3/1/17, effective 4/5/17]

571—21.5(456A) *Alternative lease procedures.* In the event that no beginning farmer seeks to participate in the program, or no beginning farmer is found qualified to participate in the program for a given lease, the following procedures shall be followed by the department in administering the agricultural lease program.

21.5(1) *Advertising for bids.* A notice advertising for bids shall be published in at least two local newspapers a minimum of two weeks prior to the date of the bid opening.

21.5(2) *Prebid informational meeting.* A prebid informational meeting may be held when the land manager determines that a meeting is in the state's best interest. Notice of a prebid informational meeting shall be included in the advertisement for bids and in the written instructions to bidders. The meeting shall be held no later than one week prior to the bid opening. If a prebid meeting is required, bidders must attend to qualify to submit a bid.

21.5(3) *Form of bid.* Written sealed bids shall be utilized.

21.5(4) *Public bid opening.* All sealed bids shall be publicly opened as stated in the notice for bids. The results of the bids shall be made available to any interested party.

21.5(5) *Awarding of lease.* The amount of the bid, past experience with the bidder, the bidder's ability to comply with the terms of the lease, and the bidder's ability to perform the required farming practices shall be considered. The department reserves the right to waive technicalities and reject any or all bids not in the best interest of the state of Iowa.

21.5(6) *Negotiated leases.* The land manager may negotiate a lease with any prospective operator, subject to approval of the director, in any of the following instances:

- a. No bids are received.
- b. Gross annual rent is \$5,000 or less.
- c. Where land acquired by the department is subject to an existing tenancy.
- d. To synchronize the lease period of newly leased areas with other leases in the same management unit.
- e. Where a proposed lease includes only land not accessible to equipment necessary to perform the required farming operations, except over privately owned land, provided the prospective operator possesses legal access to the leased land over said privately owned land.
- f. Where the director authorizes a lease as a condition of a land purchase or trade.

[ARC 2961C, IAB 3/1/17, effective 4/5/17]

571—21.6(456A) Terms applicable to all agricultural leases. The following terms and conditions apply to all department agricultural leases entered into pursuant to rule 571—21.4(456A) or 571—21.5(456A).

21.6(1) *Final approval of award.* All awards of leases shall be approved by the director. Additionally, awards of all leases on sovereign land shall be subject to approval by the state executive council on recommendation of the natural resource commission.

21.6(2) *Payment of cash rent.* The operator shall pay a minimum of 10 percent of the total gross rent at the time of the signing of the lease and the balance for each crop year on or before December 1, or the operator shall pay 50 percent of the total annual rent each April 1 and the balance for each crop year on or before December 1. The appropriate minimum payment shall be determined by the land manager.

21.6(3) *Payment of crop share rent.* The operator shall pay the total annual rent on December 1 or at the time of harvest, whichever is later.

21.6(4) *Termination.* In accordance with Iowa Code chapter 562, the lease shall serve as the written agreement fixing the time of termination of the tenancy. The lease shall terminate at the end of the agreed-upon lease term without notice. If the department requires leased land for other conservation purposes during the term of the lease, the operator shall relinquish all rights under the existing lease, upon demand by the director, at the end of the current crop year.

21.6(5) *Termination for cause.* If the operator fails to comply with any of the terms of the lease, the department may serve notice on the operator demanding redress within a specified period of time. If compliance is not made within the specified period, the department may proceed to collect any moneys which may be due and payable during the crop year in which the lease is terminated and may void the remainder of the lease. Further, the department shall have a landlord's lien as set out by Iowa Code chapter 570.

21.6(6) *Previous agreements.* The department shall recognize legal agreements regarding agricultural leases which are in effect at the time the department acquires jurisdiction to the land covered by those legal agreements.

21.6(7) *Amendment to lease.* Amendments to any lease shall be evidenced by written instruments attached to and made a part of the lease. Final approval of amendments shall be made by the director.
[ARC 2961C, IAB 3/1/17, effective 4/5/17]

These rules are intended to implement Iowa Code sections 461A.25, 456A.24(2), 456A.24(5), and 456A.38.

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SECRETARY OF STATE[721]DIVISION I
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CHAPTER 4 FORMS

[Prior to 7/13/88, see Secretary of State[750], Ch 4]

721—4.1(17A) Forms and instructions. Forms and instructions are developed by the agency in accordance with statutory directives.

Copies of forms and instructions of a general nature may be seen at the Office of Secretary of State, Statehouse, Des Moines, Iowa 50319. Copies of forms and instructions relating to corporation matters, the uniform commercial code, elections and other services may be seen at the respective divisions which are located in the Lucas State Office Building, Des Moines, Iowa 50319.

The subrules which follow list and describe those forms and instructions which members of the public use when dealing with the agency and its various divisions. Each direction of every instruction shall be complied with and each question or portion of every form answered in the same manner as if the forms and instructions were embodied in these rules.

4.1(1) Forms of general application.

| Form Number | Description |
|-------------|---|
| GLO-1 | Public disclosure of gifts made to a “local official,” “local employee” or to the person’s immediate family |
| GEN-1 | Certification of various filings in the office of the Secretary of State, for example, incorporation of cities, legislative bills and other documents |

4.1(2) Notary public forms.

| Form Number | Description |
|-------------|--|
| NO-1 | Application for appointment of Notary Public |
| NO-2 | Notarial Bond Form |
| NO-3 | Application for reappointment of Notary Public |
| NO-4 | Certificate of Notarial Commission |
| NO-5 | Certificate of Prothonotary |

Copies of application and bond forms for notaries public are available to the public upon request to the Notary Clerk, Office of the Secretary of State, Lucas State Office Building, Des Moines, Iowa 50319. The telephone number is (515)281-5204.

721—4.2(17A) Corporation forms.

4.2(1) Nonprofit corporation forms.

| Form Number | Description |
|-------------|---|
| NP-1 | Certificate of Good Standing — showing that a corporation is in good standing and also used to reflect that certain filings have not been made. |
| NP-2 | Certification Certificates — certifies copies attached are true reproductions of documents on file. |
| NP-3 | Certificate for Perpetual Fee Paid — issued to signify a Chapter 491 Corporation including domestic Insurance Companies have paid their perpetual fees due. |
| NP-4 | Trademark/Service Mark Certificate — issued to the holder of a trade or service mark. |
| NP-5 | Trademark/Service Mark Assignment Certificate — shows the transfer of a trade or service mark from the existing holder to a new registrant. |

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|-------|--|
| NP-6 | Nonprofit Voluntary Election to Adopt Certificate — showing that a Chapter 504 corporation has adopted Chapter 504A. |
| NP-7 | Foreign Nonprofit Qualification Certificate — issued to foreign nonprofit corporations qualified to do business in Iowa. |
| NP-8 | Nonprofit Application for Authority — used by foreign nonprofit corporations to obtain authority to do business in Iowa. |
| NP-9 | Amended Application for Authority-504A — used by foreign nonprofit corporations already qualified to reflect changes of name or authorized purposes. |
| NP-10 | Application for Withdrawal-504A — used by a foreign nonprofit corporation to stop business in Iowa. |
| NP-11 | Voluntary Election to Adopt-504A — corporations under old laws of Chapter 504 to adopt new law 504A. |
| NP-12 | Nonprofit Articles of Dissolution — for domestic nonprofit corporations to terminate their existence. |
| NP-13 | Suggested Form for Nonprofit Articles of Incorporation — a guide for drafting articles. |
| NP-14 | Suggested Form for Nonprofit Restated Articles of Incorporation — for nonprofit corporations desiring to rewrite the articles of incorporation. |
| NP-15 | Suggested Form for Nonprofit Amendment — a guide for drafting same. |
| NP-16 | Rules and Regulations for Trademarks/Service Marks — a short excerpt from the Code to help filing of trade and service marks. |
| NP-17 | Trademark/Service Mark Applications — self explanatory. |
| NP-18 | Trademark Assignment Application — to assign a mark from original registrant to a new registrant. |
| NP-19 | Trade/Service Mark Renewal Application — used every 10 years to renew mark. |
| NP-20 | Foreign Cooperative Application for Authority — cooperative from another state desiring to do business in Iowa. |
| NP-21 | Reinstatement of A Cooperative — used by a cancelled corporation for failure to file Annual Report to reinstate its rights. |
| NP-22 | Reinstatement of Nonprofit — same as above. |
| NP-23 | Certificate to Issue Capital Stock — for use by Chapter 491 Corporation and Insurance Corporations advising of stock issued. |
| NP-24 | Resolution Naming Resident Agent — Appointing service agent to represent old 491 Corporation. |
| NP-25 | Copy Order Request Form — used to order certified copies and good standing certificates. |
| NP-26 | Reinstatement Application-504A — for use by a cancelled corporation. |

4.2(2) Business corporations.

| Form Number | Description |
|-------------|--|
| BC-1 | Certificate of Incorporation — issued to reflect the existence of new corporation. Also used when articles are reinstated and for certificate of dissolution. |
| BC-2 | Certificate of Amendment — used to reflect corporate amendment mergers and consolidations. |
| BC-3 | Certificate of Adoption to the Iowa Business Corporation Act — issued to show adoption of Chapter 496A by a corporation under the old Chapter 491. |
| BC-4 | Certificate of Cancellation — issued to show cancellation for statutory reasons. |
| BC-5 | Certificate of Authority — issued to foreign business corporations which have qualified in Iowa. |
| BC-6 | Certificate of Revocation — issued to delinquent foreign corporations in lieu of cancellation. |
| BC-7 | Certificate of Reservation of Name — shows that a name is reserved for an applicant. |
| BC-8 | Application for Reinstatement — form by which cancelled business corporation can file for reinstatement of its rights. |
| BC-9 | Application for Reservation of Name — form by which applicant can reserve a corporate name for future use. |
| BC-10 | Application to Elect Assumed Name — used for corporation to apply for use of a secondary or dba name. |
| BC-11 | Application to Renew Assumed Name — used to renew assumed name from year to year. |
| BC-12 | Statement of Change of Registered Agent and Office — used by a corporation to change its official service agent and/or service office. |
| BC-13 | Statement of Change of Registered Agent and Office by Agent (Multiple Corporations) — same form as above, to be used when a person who is agent for numerous corporations changes address. |
| BC-14 | Application for Reinstatement — used by corporation cancelled for failure to file Annual Report to reinstate its rights. |
| BC-15 | Application for Amended Certificate of Authority — basically for foreign corporations already qualified to reflect change of name and Iowa purposes. |
| BC-16 | Application for Certificate of Authority — used by foreign corporations to obtain authority to do business in Iowa. |
| BC-17 | Application for a Foreign Corporation to Elect an Assumed Name — same as above. |
| BC-18 | Application for Registration of a Corporate Name — form by which foreign corporation may register name on a yearly basis. |
| BC-19 | Application for Renewal of Registration of Name — to renew registration of name (foreign). |

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|-------|---|
| BC-20 | Application for Certificate of Withdrawal — used by foreign corporation to stop business in Iowa. |
| BC-21 | Application for a Qualifying Assumed Name — special form of Assumed Name for use by foreign corporation whose official name cannot be used in Iowa. |
| BC-22 | Application for Transfer or Reservation of Name — to transfer a title from one to another. |
| BC-23 | Voluntary Election to Adopt Iowa Business Corporation Act — permits Chapter 491 Corporation to adopt Iowa Business Corporation Act (Chapter 496A). |
| BC-24 | Corporation Filing and Recording Fees — shows all filing and recording fees in the Corporation Division. |
| BC-25 | Disaster Recovery Registration |

4.2(3) Annual reports.

| Form Number | Description |
|-------------|---|
| AR-1 | Chapter 496A Iowa Domestic Annual Report — required of domestic corporations under the Iowa Business Corporation Act. (Will include instructions sheet designated as AR-25 for reporting year 1981) |
| AR-2 | Chapter 496A Foreign Corporation Annual Report — same as above for foreign corporations. (Will include instruction sheet designated as AR-26 for reporting year 1981) |
| AR-3 | Chapter 504A Iowa Nonprofit Annual Report — required for all Domestic Nonprofit Corporations. |
| AR-4 | Chapter 504A Foreign Nonprofit Annual Report — required to be filed by all Foreign Nonprofit Corporations. |
| AR-5 | Chapter 496C Iowa Professional Annual Report — required to be filed by Domestic Professional Corporations. |
| AR-6 | Chapter 496C Foreign Professional Annual Report — required to be filed by Foreign Professional Corporations. |
| AR-7 | Chapter 491 Iowa Annual Report (old chapter) — required to be filed by profit corporations who still remain under old Chapter 491. |
| AR-8 | Chapter 499 Non Stock Cooperative Annual Report — required to be filed by Chapter 499 non stock corporations. |
| AR-9 | Chapter 499 Stock Cooperative Annual Report — required to be filed by Chapter 499 stock issuing corporations. |
| AR-10 | Chapter 497 Cooperative Annual Report — required to be filed by old Chapter 497 Cooperatives. |
| AR-11 | Chapter 498 Cooperative Annual Report — required to be filed by old Chapter 498 Cooperatives. |
| AR-12 | September 496A Foreign Notice of Revocation — self explanatory. |
| AR-13 | October 496A Domestic Notice of Cancellation — self explanatory. |
| AR-14 | Chapter 496A Domestic Annual Report Instruction Sheet — self explanatory (see AR-1). |
| AR-15 | Chapter 496A Foreign Annual Report Instruction Sheet — self explanatory (see AR-2). |
| AR-16 | Chapter 496C Domestic Professional Corporation Annual Report Instruction Sheet — self explanatory (will become a part of Form AR-5 for reporting year 1982). |
| AR-17 | Chapter 496C Foreign Professional Corporation Annual Report Instruction Sheet — self explanatory (will become a part of Form AR-6 for reporting year 1982). |

4.2(4) Farm reporting.

| Form Number | Description |
|-------------|--|
| FR-1 | Agricultural Report |
| FR-2 | Information on Agricultural Reports |
| FR-3 | Pork and Beef Processor Report |
| FR-4 | Registration of Nonresident Alien Land Ownership |
| FR-5 | Nonresident Alien Ownership Report |
| FR-6 | Annual Agricultural Landholding Report |

For information concerning availability of forms for farm reporting, contact the Corporations Division, Hoover State Office Building, Des Moines, Iowa 50319, (515)281-8366.

This rule is intended to implement Iowa Code sections 172C.5A, 172C.5B, 172C.8 and 172C.9.
[ARC 2962C, IAB 3/1/17, effective 4/5/17]

721—4.3(17A) Election forms.**Section 1. Election Day and Canvass Forms**

| Form Number | Description |
|--------------|---|
| 1-A(Rev.-95) | Voter's Declaration of Eligibility |
| 1-B | (Reserved) |
| 1-C | (Reserved) |
| 1-D(Rev.-90) | Notice to Voter of Rejection of Absentee or Special Ballot |
| 1-E | (Reserved) |
| 1-F(Rev.-90) | Oath for Officer or Clerk of Election |
| 1-G(Rev.-95) | Statement to Person Casting a Special Ballot |
| 1-H(Rev.-95) | Envelope for Special Ballot |
| 1-I(Rev.-95) | Affidavit of Voter Requesting Assistance |
| 1-J(Rev.-95) | Declaration of Intent to Serve as Election Observer (Public Measure Elections) |
| 1-K(Rev.-90) | Ballot Record and Receipt |
| 1-L(Rev.-95) | County Abstract of Votes |
| 1-M(93) | Accreditation Form—Pollwatchers for Political Parties (Challenging Committees) |
| 1-N(93) | Accreditation Form—Observers for Political Parties (To Witness the Counting of Ballots) |
| 1-O(95) | Letter of Appointment—Pollwatchers for Nonpartisan and Nonparty Candidates |
| 1-P(95) | Application for Additional Ballots |
| 1-Q(95) | Application for Additional Ballots—Auditor's Record of Telephone Request |
| 1-R(95) | Ballot Photocopy Record |
| 1-S(97) | Identification Statement |

Section 2. Nomination Documents and Forms

| Form Number | Description |
|--------------|--|
| 2-A(Rev.-97) | Affidavit by Candidate—Primary Election |
| 2-B(Rev.-97) | Affidavit by Candidate—Nominations by Political Parties |
| 2-C(Rev.-97) | Affidavit by Candidate—Nominations by Nonparty Political Organizations |
| 2-D(Rev.-97) | Affidavit by Candidate—Nonpartisan Nominations |

| | |
|--|--|
| 2-E(Rev.-97) | Nomination Paper—For U.S. Senator, U.S. Representative & Statewide Offices |
| 2-F(Rev.-97) | Nomination Paper—For State Senator |
| 2-G(Rev.-97) | Nomination Paper—For State Representative |
| 2-H(Rev.-97) | Nomination Paper—For Nonpartisan Nominations and Nonparty Political Organizations |
| 2-I(Rev.-93) | Certificate of Nomination by Nonparty Political Organization—Chapter 44 |
| 2-J(Rev.-97) | Nomination Petition for the Offices of Electors for President and Vice President of the United States |
| 2-K(Rev.-97) | Nomination Paper for County Office |
| 2-L(Rev.-95) | Nomination by Convention—Certificate of Nomination by Political Party—Chapter 43 |
| 2-M(Rev.-97) | Affidavit by Candidate—School and City Elections |
| 2-N(Rev.-97) | Affidavit by Candidate—City Elections—Chapter 44 |
| 2-O(Rev.-97) | Nomination Petition—Merged Area Schools |
| 2-P(Rev.-97) | Petition Requesting Election |
| 2-Q(93) | Judicial Declaration of Candidacy |
| 2-R(93) | Certificate of Candidates for Presidential Electors |
| 2-S(Rev.-97) | Nomination Petition—Governor and Lieutenant Governor—Chapter 45 |
| Section 3. Absentee Voting Forms | |
| Form Number | Description |
| 3-A(Rev.-97) | Application for Absentee Ballot |
| 3-B(Rev.-97) | Absent Voter's Affidavit and Envelope |
| 3-C(Rev.-90) | Affidavit for Voter Who Did Not Receive Absent Voter's Ballot |
| 3-D(Rev.-97) | Absentee Ballot Carrier Envelope |
| 3-E(93) | Statement of Voter—Lost Absentee Ballot |
| 3-F(93) | Log for Absentee Ballot Delivery Team |
| 3-G(Rev.-95) | Challenge of Absentee Voter |
| 3-H(Rev.-97) | Statement to Voter of Change or Declaration of Party Affiliation |
| 3-I(97) | Statement to Voter of Change or Declaration of Party Affiliation for Voter in Nursing Home or Hospital |
| Section 4. Armed Forces and Overseas Absentee Voting | |
| Form Number | Description |
| 4-A(Rev.-97) | Armed Forces or Overseas Ballot—Delivery Envelope |
| 4-B(Rev.-97) | Armed Forces or Overseas Ballot—Return Carrier Envelope |
| 4-C(Rev.-97) | Armed Forces or Overseas Ballot—Affidavit Envelope |
| 4-D(93) | Proxy Absentee Ballot Request |
| Section 5. Administrative Forms | |
| Form Number | Description |
| 5-A | (Reserved) |
| 5-B(Rev.-97) | Certificate of Test—Central Count Tabulating Equipment |
| 5-C(Rev.-97) | Certificate of Test—Precinct Count Tabulating Equipment |
| 5-D(Rev.-95) | Election Document Retention Record |
| 5-E | Rescinded |

This rule is intended to implement Iowa Code sections 43.13, 43.14, 43.18, 43.42, 43.43, 43.61, 43.67, 43.88, 44.3, 45.1, 45.3, 46.20, 48A.4, 48A.32, 49.65, 49.66, 49.77, 49.79, 49.80, 49.81, 49.90,

49.91, 49.104(2), 49.104(3), 49.104(5), 49.104(6), 50.3, 50.4, 50.5, 50.9, 50.10, 50.12, 50.19, 50.24, 50.26, 50.28, 51.11, 52.23, 52.35, 52.38, 53.2, 53.13, 53.19, 53.21, 53.22, 53.23(4), 53.25, 53.26, 53.30, 53.31, 53.40, 53.46(2), 54.5, 56.2(5), 260C.15(2), 277.4, 278.2, 331.306, 362.4 and 376.4 and 11 CFR, Subpart C, Section 8.7(1995).

721—4.4(17A) Uniform Commercial Code forms. For information concerning UCC forms, see 721—subrule 30.1(9). The UCC Division is located in the Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa 50319, telephone (515)281-5274.

This rule is intended to implement Iowa Code section 17A.3(1)“b.”

721—4.5(17A) Verified lien statement forms.

| Form Number | Description |
|-------------|--|
| VLS-1 | (8" x 13") A five part snap-off form with interleaved carbon paper used for filing agricultural liens under Iowa Code chapter 570A. |
| VLS-2 | (8" x 5") A five part snap-off form with interleaved carbon paper used for filing assignments and acknowledgments of satisfaction as they relate to a VLS-1. |

This rule is intended to implement Iowa Code chapters 17A, 491, 496A, 497, 498, 499, 504A, Article IX and 1984 Iowa Acts, chapter 1072.

721—4.6(9A,17A) Athlete agent.

| Form Number | Description |
|-------------|--|
| AA-1 | Application for Certificate of Registration — used to apply for a certificate of registration to act as an athlete agent in the state of Iowa. |
| AA-2 | Renewal Application for Certificate of Registration — used to annually renew the certificate of registration. |
| AA-3 | Consent to Service — required of nonresident athlete agents to provide irrevocable consent to service of process. |
| AA-4 | Surety Bond Form — required to show proof of continuous bonding of \$25,000. |

This rule is intended to implement Iowa Code chapter 9A.

- [Filed emergency 6/25/80—published 7/23/80, effective 7/1/80]
- [Filed 9/24/80, Notice 8/20/80—published 10/15/80, effective 11/19/80]
- [Filed 11/30/83, Notice 10/12/83—published 12/21/83, effective 1/25/84]
- [Filed emergency 7/3/84—published 8/1/84, effective 7/3/84]
- [Filed emergency 8/3/84—published 8/29/84, effective 8/3/84]
- [Filed 12/14/84, Notice 8/1/84—published 1/2/85, effective 2/6/85]
- [Filed emergency 7/6/87—published 7/29/87, effective 7/6/87]
- [Filed emergency 8/4/87—published 8/26/87, effective 8/4/87]
- [Filed 9/4/87, Notice 7/29/87—published 9/23/87, effective 10/28/87]
- [Filed 6/23/88, Notice 5/18/88—published 7/13/88, effective 8/17/88]
- [Filed emergency 7/8/88—published 7/27/88, effective 7/8/88]
- [Filed 5/12/89, Notice 2/22/89—published 5/31/89, effective 7/19/89]
- [Filed emergency 6/9/89—published 6/28/89, effective 7/1/89]
- [Filed 8/16/89, Notice 5/17/89—published 9/6/89, effective 10/11/89]
- [Filed 7/5/90, Notice 5/30/90—published 7/25/90, effective 8/29/90]
- [Filed emergency 6/21/91—published 7/10/91, effective 7/1/91]
- [Filed emergency 7/10/91—published 8/7/91, effective 7/10/91]
- [Filed 8/13/93, Notice 6/23/93—published 9/1/93, effective 10/6/93]
- [Filed 8/25/95, Notice 7/19/95—published 9/13/95, effective 10/18/95]

[Filed 8/22/97, Notice 7/16/97—published 9/10/97, effective 10/15/97]

[Filed 10/29/99, Notice 9/8/99—published 11/17/99, effective 12/22/99]

[Filed emergency 6/8/01—published 6/27/01, effective 7/1/01]

[Filed 12/30/05, Notice 11/23/05—published 1/18/06, effective 2/22/06]

[Filed ARC 2962C (Notice ARC 2856C, IAB 12/7/16), IAB 3/1/17, effective 4/5/17]

CHAPTER 11
Reserved

CHAPTER 12
DISASTER RECOVERY FOR OUT-OF-STATE ENTITIES

721—12.1(29C) Definitions. For purposes of this chapter, the definitions from Iowa Code section 29C.24 are adopted by reference.

[ARC 2962C, IAB 3/1/17, effective 4/5/17]

721—12.2(29C) Notification and insurance verification. Within 15 days of entering the state in response to a disaster in accordance with Iowa Code section 29C.24, an entity shall file with the secretary of state the following information, from the secretary of state's prescribed form for out-of-state corporations for disaster recovery.

1. Name.
2. State of domicile.
3. Principal business address.
4. Federal employer identification number.
5. The date the entity entered the state.
6. Contact information.
7. Certificate of worker compensation insurance.
8. Certificate of liability insurance.
9. A signed statement that the out-of-state business is in the state for the purpose of responding to

a declared state disaster or emergency.

[ARC 2962C, IAB 3/1/17, effective 4/5/17]

721—12.3(29C) Transmittal of notification. Once the form from rule 721—12.2(29C) is processed, the secretary of state shall transmit the information to the Iowa department of revenue and the Iowa homeland security and emergency management department. The secretary of state shall provide the information to other state and local government agencies at their request.

[ARC 2962C, IAB 3/1/17, effective 4/5/17]

These rules are intended to implement Iowa Code sections 29C.3 and 29C.24.

[Filed ARC 2962C (Notice ARC 2856C, IAB 12/7/16), IAB 3/1/17, effective 4/5/17]

CHAPTERS 13 to 19
Reserved

CHAPTER 10
GENERAL INDUSTRY SAFETY AND HEALTH RULES

[Prior to 9/24/86, Labor, Bureau of [530]]

[Prior to 10/7/98, see 347—Ch 10]

875—10.1(88) Definitions. As used in these rules, unless the context clearly requires otherwise:

“*Part*” means 875—Chapter 10, Iowa Administrative Code.

“*Standard*” means a standard which requires conditions, or the adoption or use of one or more practices, means, methods, operations, or processes, reasonably necessary or appropriate to provide safe or healthful employment and places of employment.

875—10.2(88) Applicability of standards.

10.2(1) None of the standards in this chapter shall apply to working conditions of employees with respect to which federal agencies other than the United States Department of Labor, exercise statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health.

10.2(2) If a particular standard is specifically applicable to a condition, practice, means, method, operation, or process, it shall prevail over any different general standard which might otherwise be applicable to the same condition, practice, means, method, operation, or process.

10.2(3) However, any standard shall apply according to its terms to any employment and place of employment in any industry, even though particular standards are also prescribed for the industry, as in 1910.12, 1910.261, 1910.262, 1910.263, 1910.264, 1910.265, 1910.266, 1910.267, and 1910.268 of 29 CFR 1910, to the extent that none of such particular standards applies.

10.2(4) In the event a standard protects on its face a class of persons larger than employees, the standard shall be applicable under this part only to employees and their employment and places of employment.

10.2(5) An employer who is in compliance with any standard in this part shall be deemed to be in compliance with the requirement of Iowa Code section 88.4, but only to the extent of the condition, practice, means, method, operation or process covered by the standard.

875—10.3(88) Incorporation by reference. The standards of agencies of the U.S. Government, and organizations which are not agencies of the U.S. Government which are incorporated by reference in this chapter have the same force and effect as other standards in this chapter. Only mandatory provisions (i.e., provisions containing the word “shall” or other mandatory language) of standards incorporated by reference are adopted under the Act.

875—10.4(88) Exception for hexavalent chromium exposure in metal and surface finishing job shops. Prior to December 31, 2008, for employers that comply with the requirements of this rule, the labor commissioner shall enforce respiratory protection provisions only with respect to employees who fall into one of the six categories outlined in Paragraph 4, Appendix A, 29 CFR 1910.1026, except that the phrase “Exhibit B to this Agreement” shall refer to Exhibit B, Appendix A, 29 CFR 1910.1026. This exception is limited to the narrow circumstances outlined below and shall expire on May 31, 2010.

10.4(1) Eligibility. An employer’s facility is eligible for this exception if the employer is a member of the Surface Finishing Industry Council or the facility is a surface-finishing or metal-finishing job shop that sells plating or anodizing services to other companies.

10.4(2) Participation. To be covered by this exception, eligible employers must complete and submit a Declaration of Participation via mail to the Labor Commissioner, 1000 East Grand Avenue, Des Moines, Iowa 50319, or via facsimile to (515)281-7995. Declarations of Participation must be postmarked or received on or before April 7, 2007. Each declaration shall apply only to one facility. Declaration of Participation forms are available at <http://www.iowaworkforce.org/labor/iosh/index.html> or by calling (515)242-5870.

10.4(3) Applicability. This exception applies only to surface- and metal-finishing operations within covered facilities.

10.4(4) Feasible engineering controls. Participating employers must implement feasible engineering controls necessary to reduce hexavalent chromium levels at their facilities to or below five micrograms per cubic meter of air calculated as an eight-hour, time-weighted average by December 31, 2008. In fulfilling this obligation, participating employers may select from the engineering and work practice controls listed in Exhibit A, Appendix A, 29 CFR 1910.1026, or may adopt other controls.

10.4(5) Employee training. Participating employers shall train their employees in accordance with the provisions of 29 CFR 1910.1026(l)(2). Using language the employees can understand, participating employers will also train their employees on the provisions of this exception no later than June 7, 2007.

10.4(6) Compliance and monitoring. Participating employers shall comply with the requirements set forth in Paragraphs 3 and 4, Appendix A, 29 CFR 1910.1026, except that as used in Appendix A:

- a. The acronym “OSHA” shall refer to the labor commissioner;
- b. The word “Company” shall refer to employers participating in this exception;
- c. The word “Agreement” shall refer to this rule; and
- d. The phrase “Exhibit B to this Agreement” shall refer to Exhibit B, Appendix A, 29 CFR 1910.1026.

875—10.5 and 10.6 Reserved.

875—10.7(88) Definitions and requirements for a nationally recognized testing laboratory. The federal regulations adopted at 29 CFR, Chapter XVII, Part 1910, regulation 1910.7 and Appendix A, as published at 53 Fed. Reg. 12120 (April 12, 1988) and amended at 53 Fed. Reg. 16838 (May 11, 1988), 54 Fed. Reg. 24333 (June 7, 1989) and 65 Fed. Reg. 46818 (July 31, 2000) are adopted by reference.

875—10.8 to 10.11 Reserved.

875—10.12(88) Construction work.

10.12(1) Standards. The standards prescribed in 875—Chapter 26 are adopted as occupational safety and health standards and shall apply, according to the provisions thereof, to every employment and place of employment of every employee engaged in construction work. Each employer shall protect the employment and places of employment of each employee engaged in construction work by complying with the provisions of 875—Chapter 26.

10.12(2) Definition. For the purpose of this rule, “*construction work*” means work for construction, alteration, or repair including painting and redecorating, and where applicable, the erection of new electrical transmission and distribution lines and equipment, and the alteration, conversion, and improvement of the existing transmission and distribution lines and equipment. This incorporation by reference of 875—Chapter 26 (Part 1926) is not intended to include references to interpretative rules having relevance to the application of the construction safety Act, but having no relevance to the application of Iowa Code chapter 88.

875—10.13 to 10.18 Reserved.

875—10.19(88) Special provisions for air contaminants.

10.19(1) Asbestos, tremolite, anthophyllite, and actinolite dust. Reserved.

10.19(2) Vinyl chloride. Rule 1910.1017 of the federal rules as adopted by reference in 875—10.20(88) shall apply to the exposure of every employee to vinyl chloride in every employment and place of employment covered by 875—10.12(88), in lieu of any different standard on exposure to vinyl chloride which would otherwise be applicable by virtue of any rule adopted in 875—Chapter 26.

10.19(3) Acrylonitrile. Rule 1910.1045 of the federal rules as adopted by reference in 875—10.20(88) shall apply to the exposure of every employee to acrylonitrile in every employment and place of employment covered by 875—10.12(88), in lieu of any different standard on exposure to acrylonitrile which would otherwise be applicable by virtue of any rule adopted in 875—Chapter 26.

10.19(4) Inorganic arsenic. Rule 1910.1018 of the federal rules as adopted by reference in 875—10.20(88) shall apply to the exposure of every employee to inorganic arsenic in every employment

and place of employment covered by 875—10.12(88), in lieu of any different standard on exposure to inorganic arsenic which would otherwise be applicable by virtue of any rule adopted in 875—Chapter 26.

10.19(5) Rescinded, effective 6/10/87.

10.19(6) *Lead*. Rescinded IAB 8/5/92, effective 8/5/92.

10.19(7) *Ethylene oxide*. Rule 1910.1047 of the federal rules as adopted by reference in 875—10.20(88) shall apply to the exposure of every employee to ethylene oxide in every employment and place of employment covered by 875—10.12(88), in lieu of any different standard on exposure to ethylene oxide which would otherwise be applicable by virtue of any rule adopted in 875—Chapter 26.

10.19(8) *Benzene*. Rule 1910.1028 of the federal rules as adopted by reference in 875—10.20(88) shall apply to the exposure of every employee to benzene in every place of employment covered by 875—10.12(88), in lieu of any different standard on exposure to benzene which would otherwise be applicable by virtue of any rule adopted in 875—Chapter 26.

10.19(9) *Formaldehyde*. Rule 1910.1048 of the federal rules as adopted by reference in 875—10.20(88) shall apply to the exposure of every employee to formaldehyde in every place of employment covered by 875—10.12(88), in lieu of any different standard on exposure to formaldehyde which would otherwise be applicable by virtue of any rule adopted in 875—Chapter 26.

10.19(10) *Methylene chloride*. Rule 1910.1052 of the federal rules as adopted by reference in 875—10.20(88) shall apply to the exposure of every employee to methylene chloride in every employment and place of employment covered by 875—10.12(88) in lieu of any different standard on exposure to methylene chloride which would otherwise be applicable by virtue of any rule adopted in 875—Chapter 26.

875—10.20(88) Adoption by reference. The rules beginning at 1910.20 and continuing through 1910, as adopted by the United States Secretary of Labor shall be the rules for implementing Iowa Code chapter 88. This rule adopts the Federal Occupational Safety and Health Standards of 29 CFR, Chapter XVII, Part 1910 as published at 37 Fed. Reg. 22102 to 22324 (October 18, 1972) and as amended at:

37 Fed. Reg. 23719 (November 8, 1972)

37 Fed. Reg. 24749 (November 21, 1972)

38 Fed. Reg. 3599 (February 8, 1973)

38 Fed. Reg. 9079 (April 10, 1973)

38 Fed. Reg. 10932 (May 3, 1973)

38 Fed. Reg. 14373 (June 1, 1973)

38 Fed. Reg. 16223 (June 21, 1973)

38 Fed. Reg. 19030 (July 17, 1973)

38 Fed. Reg. 27048 (September 28, 1973)

38 Fed. Reg. 28035 (October 11, 1973)

38 Fed. Reg. 33397 (December 4, 1973)

39 Fed. Reg. 1437 (January 9, 1974)

39 Fed. Reg. 3760 (January 29, 1974)

39 Fed. Reg. 6110 (February 19, 1974)

39 Fed. Reg. 9958 (March 15, 1974)

39 Fed. Reg. 19468 (June 3, 1974)

39 Fed. Reg. 35896 (October 4, 1974)

39 Fed. Reg. 41846 (December 3, 1974)

39 Fed. Reg. 41848 (December 3, 1974)

40 Fed. Reg. 3982 (January 27, 1975)

40 Fed. Reg. 13439 (March 26, 1975)

40 Fed. Reg. 18446 (April 28, 1975)

40 Fed. Reg. 23072 (May 28, 1975)

40 Fed. Reg. 23743 (June 2, 1975)

40 Fed. Reg. 24522 (June 9, 1975)

40 Fed. Reg. 27369 (June 27, 1975)
40 Fed. Reg. 31598 (July 28, 1975)
41 Fed. Reg. 11504 (March 19, 1976)
41 Fed. Reg. 13352 (March 30, 1976)
41 Fed. Reg. 35184 (August 20, 1976)
41 Fed. Reg. 46784 (October 22, 1976)
41 Fed. Reg. 55703 (December 21, 1976)
42 Fed. Reg. 2956 (January 14, 1977)
42 Fed. Reg. 3304 (January 18, 1977)
42 Fed. Reg. 45544 (September 9, 1977)
42 Fed. Reg. 46540 (September 16, 1977)
42 Fed. Reg. 37668 (July 22, 1977)
43 Fed. Reg. 11527 (March 17, 1978)
43 Fed. Reg. 19624 (May 5, 1978)
43 Fed. Reg. 27394 (June 23, 1978)
43 Fed. Reg. 27434 (June 23, 1978)
43 Fed. Reg. 28472 (June 30, 1978)
43 Fed. Reg. 28473 (June 30, 1978)
43 Fed. Reg. 31330 (July 21, 1978)
43 Fed. Reg. 35032 (August 8, 1978)
43 Fed. Reg. 45809 (October 3, 1978)
43 Fed. Reg. 49744 (October 24, 1978)
43 Fed. Reg. 51759 (November 7, 1978)
43 Fed. Reg. 53007 (November 14, 1978)
43 Fed. Reg. 56893 (December 5, 1978)
43 Fed. Reg. 57602 (December 8, 1978)
44 Fed. Reg. 5447 (January 26, 1979)
44 Fed. Reg. 50338 (August 28, 1979)
44 Fed. Reg. 60981 (October 23, 1979)
44 Fed. Reg. 68827 (November 30, 1979)
45 Fed. Reg. 6713 (January 29, 1980)
45 Fed. Reg. 8594 (February 8, 1980)
45 Fed. Reg. 12417 (February 26, 1980)
45 Fed. Reg. 35277 (May 23, 1980)
45 Fed. Reg. 41634 (June 20, 1980)
45 Fed. Reg. 54333 (August 15, 1980)
45 Fed. Reg. 60703 (September 12, 1980)
46 Fed. Reg. 4056 (January 16, 1981)
46 Fed. Reg. 6288 (January 21, 1981)
46 Fed. Reg. 24557 (May 1, 1981)
46 Fed. Reg. 32022 (June 19, 1981)
46 Fed. Reg. 40185 (August 7, 1981)
46 Fed. Reg. 2632 (August 21, 1981)
46 Fed. Reg. 42632 (August 21, 1981)
46 Fed. Reg. 45333 (September 11, 1981)
46 Fed. Reg. 60775 (December 11, 1981)
47 Fed. Reg. 39161 (September 7, 1982)
47 Fed. Reg. 51117 (November 12, 1982)
47 Fed. Reg. 53365 (November 26, 1982)
48 Fed. Reg. 2768 (January 21, 1983)
48 Fed. Reg. 9641 (March 8, 1983)
48 Fed. Reg. 9776 (March 8, 1983)

48 Fed. Reg. 29687 (June 28, 1983)
49 Fed. Reg. 881 (January 6, 1984)
49 Fed. Reg. 4350 (February 3, 1984)
49 Fed. Reg. 5321 (February 10, 1984)
49 Fed. Reg. 25796 (June 22, 1984)
50 Fed. Reg. 1050 (January 9, 1985)
50 Fed. Reg. 4648 (February 1, 1985)
50 Fed. Reg. 9800 (March 12, 1985)
50 Fed. Reg. 36992 (September 11, 1985)
50 Fed. Reg. 37353 (September 13, 1985)
50 Fed. Reg. 41494 (October 11, 1985)
50 Fed. Reg. 51173 (December 13, 1985)
51 Fed. Reg. 22733 (June 20, 1986)
51 Fed. Reg. 24325 (July 3, 1986)
51 Fed. Reg. 25053 (July 10, 1986)
51 Fed. Reg. 33033 (September 18, 1986)
51 Fed. Reg. 33260 (September 19, 1986)
51 Fed. Reg. 34560 (September 29, 1986)
51 Fed. Reg. 45663 (December 19, 1986)
52 Fed. Reg. 16241 (May 4, 1987)
52 Fed. Reg. 17753 (May 12, 1987)
52 Fed. Reg. 34562 (September 11, 1987)
52 Fed. Reg. 36026 (September 25, 1987)
52 Fed. Reg. 36387 (September 28, 1987)
52 Fed. Reg. 46291 (December 4, 1987)
52 Fed. Reg. 49624 (December 31, 1987)
53 Fed. Reg. 6629 (March 2, 1988)
53 Fed. Reg. 8352 (March 14, 1988)
53 Fed. Reg. 11436 (April 6, 1988)
53 Fed. Reg. 12120 (April 12, 1988)
53 Fed. Reg. 16838 (May 11, 1988)
53 Fed. Reg. 17695 (May 18, 1988)
53 Fed. Reg. 27346 (July 20, 1988)
53 Fed. Reg. 27960 (July 26, 1988)
53 Fed. Reg. 34736 (September 8, 1988)
53 Fed. Reg. 35625 (September 14, 1988)
53 Fed. Reg. 37080 (September 23, 1988)
53 Fed. Reg. 38162 (September 29, 1988)
53 Fed. Reg. 39581 (October 7, 1988)
53 Fed. Reg. 45080 (November 8, 1988)
53 Fed. Reg. 47188 (November 22, 1988)
53 Fed. Reg. 49981 (December 13, 1988)
54 Fed. Reg. 2920 (January 19, 1989)
54 Fed. Reg. 6888 (February 15, 1989)
54 Fed. Reg. 9317 (March 6, 1989)
54 Fed. Reg. 12792 (March 28, 1989)
54 Fed. Reg. 28054 (July 5, 1989)
54 Fed. Reg. 29274 (July 11, 1989)
54 Fed. Reg. 29545 (July 13, 1989)
54 Fed. Reg. 30704 (July 21, 1989)
54 Fed. Reg. 31456 (July 28, 1989)
54 Fed. Reg. 31765 (August 1, 1989)

54 Fed. Reg. 36687 (September 1, 1989)
54 Fed. Reg. 36767 (September 5, 1989)
54 Fed. Reg. 37531 (September 11, 1989)
54 Fed. Reg. 41364 (October 6, 1989)
54 Fed. Reg. 46610 (November 6, 1989)
54 Fed. Reg. 47513 (November 15, 1989)
54 Fed. Reg. 49971 (December 4, 1989)
54 Fed. Reg. 50372 (December 6, 1989)
54 Fed. Reg. 52024 (December 20, 1989)
55 Fed. Reg. 3146 (January 30, 1990)
55 Fed. Reg. 3300 (January 31, 1990)
55 Fed. Reg. 3723 (February 5, 1990)
55 Fed. Reg. 4998 (February 13, 1990)
55 Fed. Reg. 7967 (March 6, 1990)
55 Fed. Reg. 12110 (March 30, 1990)
55 Fed. Reg. 12819 (April 6, 1990)
55 Fed. Reg. 13696 (April 11, 1990)
55 Fed. Reg. 14073 (April 13, 1990)
55 Fed. Reg. 19259 (May 9, 1990)
55 Fed. Reg. 25094 (June 10, 1990)
55 Fed. Reg. 26431 (June 28, 1990)
55 Fed. Reg. 32014 (August 6, 1990)
55 Fed. Reg. 38677 (September 20, 1990)
55 Fed. Reg. 46053 (November 1, 1990)
55 Fed. Reg. 46949 (November 8, 1990)
55 Fed. Reg. 50686 (December 10, 1990)
56 Fed. Reg. 15832 (April 18, 1991)
56 Fed. Reg. 24686 (May 31, 1991)
56 Fed. Reg. 43700 (September 4, 1991)
56 Fed. Reg. 64175 (December 6, 1991)
57 Fed. Reg. 6403 (February 24, 1992)
57 Fed. Reg. 7847 (March 4, 1992)
57 Fed. Reg. 7878 (March 5, 1992)
57 Fed. Reg. 22307 (May 27, 1992)
57 Fed. Reg. 24330 (June 8, 1992)
57 Fed. Reg. 24701 (June 10, 1992)
57 Fed. Reg. 27160 (June 18, 1992)
57 Fed. Reg. 29204 (July 1, 1992)
57 Fed. Reg. 29206 (July 1, 1992)
57 Fed. Reg. 35666 (August 10, 1992)
57 Fed. Reg. 42388 (September 14, 1992)
58 Fed. Reg. 4549 (January 14, 1993)
58 Fed. Reg. 15089 (March 19, 1993)
58 Fed. Reg. 16496 (March 29, 1993)
58 Fed. Reg. 21778 (April 23, 1993)
58 Fed. Reg. 34845 (June 29, 1993)
58 Fed. Reg. 35308 (June 30, 1993)
58 Fed. Reg. 35340 (June 30, 1993)
58 Fed. Reg. 40191 (July 27, 1993)
59 Fed. Reg. 4435 (January 31, 1994)
59 Fed. Reg. 6169 (February 9, 1994)
59 Fed. Reg. 16360 (April 6, 1994)

59 Fed. Reg. 26115 (May 19, 1994)
59 Fed. Reg. 33661 (June 30, 1994)
59 Fed. Reg. 33910 (July 1, 1994)
59 Fed. Reg. 36699 (July 19, 1994)
59 Fed. Reg. 40729 (August 9, 1994)
59 Fed. Reg. 41057 (August 10, 1994)
59 Fed. Reg. 43270 (August 22, 1994)
59 Fed. Reg. 51741 (October 12, 1994)
59 Fed. Reg. 65948 (December 22, 1994)
60 Fed. Reg. 9624 (February 21, 1995)
60 Fed. Reg. 11194 (March 1, 1995)
60 Fed. Reg. 33344 (June 28, 1995)
60 Fed. Reg. 33984 (June 29, 1995)
60 Fed. Reg. 47035 (September 8, 1995)
60 Fed. Reg. 52859 (October 11, 1995)
61 Fed. Reg. 5508 (February 13, 1996)
61 Fed. Reg. 9230 (March 7, 1996)
61 Fed. Reg. 9583 (March 8, 1996)
61 Fed. Reg. 19548 (May 2, 1996)
61 Fed. Reg. 21228 (May 9, 1996)
61 Fed. Reg. 31430 (June 20, 1996)
61 Fed. Reg. 43456 (August 23, 1996)
61 Fed. Reg. 56831 (November 4, 1996)
62 Fed. Reg. 1600 (January 10, 1997)
62 Fed. Reg. 29668 (June 2, 1997)
62 Fed. Reg. 40195 (July 25, 1997)
62 Fed. Reg. 42018 (August 4, 1997)
62 Fed. Reg. 42666 (August 8, 1997)
62 Fed. Reg. 43581 (August 14, 1997)
62 Fed. Reg. 48175 (September 15, 1997)
62 Fed. Reg. 54383 (October 20, 1997)
62 Fed. Reg. 65203 (December 11, 1997)
62 Fed. Reg. 66276 (December 18, 1997)
63 Fed. Reg. 1269 (January 8, 1998)
63 Fed. Reg. 13339 (March 19, 1998)
63 Fed. Reg. 17093 (April 8, 1998)
63 Fed. Reg. 20098 (April 23, 1998)
63 Fed. Reg. 33467 (June 18, 1998)
63 Fed. Reg. 50729 (September 22, 1998)
63 Fed. Reg. 66038 (December 1, 1998)
63 Fed. Reg. 66270 (December 1, 1998)
64 Fed. Reg. 13700 (March 22, 1999)
64 Fed. Reg. 13908 (March 23, 1999)
64 Fed. Reg. 22552 (April 27, 1999)
65 Fed. Reg. 76567 (December 7, 2000)
66 Fed. Reg. 5324 (January 18, 2001)
66 Fed. Reg. 18191 (April 6, 2001)
67 Fed. Reg. 67961 (November 7, 2002)
68 Fed. Reg. 75780 (December 31, 2003)
69 Fed. Reg. 7363 (February 17, 2004)
69 Fed. Reg. 31881 (June 8, 2004)
69 Fed. Reg. 46993 (August 4, 2004)

70 Fed. Reg. 53929 (September 13, 2005)
 70 Fed. Reg. 1140 (January 5, 2005)
 71 Fed. Reg. 10373 (February 28, 2006)
 71 Fed. Reg. 36008 (June 23, 2006)
 71 Fed. Reg. 63242 (October 30, 2006)
 72 Fed. Reg. 7190 (February 14, 2007)
 72 Fed. Reg. 64428 (November 15, 2007)
 72 Fed. Reg. 71068 (December 14, 2007)
 73 Fed. Reg. 75583 (December 12, 2008)
 68 Fed. Reg. 32638 (June 2, 2003)
 74 Fed. Reg. 46355 (September 9, 2009)
 74 Fed. Reg. 40447 (August 11, 2009)
 75 Fed. Reg. 12685 (March 17, 2010)
 76 Fed. Reg. 33606 (June 8, 2011)
 76 Fed. Reg. 75786 (December 5, 2011)
 77 Fed. Reg. 17764 (March 26, 2012)
 76 Fed. Reg. 80738 (December 27, 2011)
 77 Fed. Reg. 37598 (June 22, 2012)
 77 Fed. Reg. 46949 (August 7, 2012)
 78 Fed. Reg. 9313 (February 8, 2013)
 78 Fed. Reg. 69549 (November 20, 2013)
 79 Fed. Reg. 20629 (April 11, 2014)
 79 Fed. Reg. 56960 (September 24, 2014)
 80 Fed. Reg. 60036 (October 5, 2015)
 81 Fed. Reg. 16090 (March 25, 2016)
 81 Fed. Reg. 16861 (March 25, 2016)
 81 Fed. Reg. 82981 (November 18, 2016)

[**ARC 7699B**, IAB 4/8/09, effective 5/13/09; **ARC 8088B**, IAB 9/9/09, effective 10/14/09; **ARC 8395B**, IAB 12/16/09, effective 1/20/10; **ARC 8522B**, IAB 2/10/10, effective 3/17/10; **ARC 8997B**, IAB 8/11/10, effective 9/15/10; **ARC 9755B**, IAB 9/21/11, effective 10/26/11; **ARC 0173C**, IAB 6/13/12, effective 7/18/12; **ARC 0282C**, IAB 8/22/12, effective 9/26/12; **ARC 0726C**, IAB 5/1/13, effective 6/5/13; **ARC 0898C**, IAB 8/7/13, effective 9/11/13; **ARC 1509C**, IAB 6/25/14, effective 7/30/14; **ARC 1531C**, IAB 7/9/14, effective 8/13/14; **ARC 1803C**, IAB 12/24/14, effective 1/28/15; **ARC 2595C**, IAB 6/22/16, effective 7/27/16; **ARC 2959C**, IAB 3/1/17, effective 4/5/17]

These rules are intended to implement Iowa Code section 88.5.

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